

1965

Benjamin Harrison, Governor of Virginia 1781-1784

Sara Etheredge Teeter

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BENJAMIN HARRISON, GOVERNOR OF VIRGINIA
1781-1784

A Thesis
Presented to
The Faculty of the Department of History
University of Richmond

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Sara Etheredge Teeter
May 1965

PREFACE

A balance of power among the three branches of government to prevent despotism has been a traditional goal in American political life ever since the Founding Fathers wrote the principle into the Constitution in 1787. It is a goal never perfectly achieved. There have been periods of excessive power in federal, state, or local units. The executive branch has dominated in an Andrew Jackson, the legislative in a Reconstruction Era, and the judicial in the mid-twentieth century. Although a perfect system of checks and balances can never be reached, the constant effort to achieve it is the American mainspring of freedom from despotic government.

Another balance that is fundamental to successful democratic government is the one between individual liberty and the rights of society. A successful government is one that maintains a judicious balance between the two while avoiding despotism.

This study seeks to emphasize the importance of balance in government in the American system by examining in detail a situation in which an extreme existed. In Virginia during the period of the Confederation, the balance of power had shifted heavily in favor of the legislature, and emphasis was on individual rights. The following essay concentrates on the

administration of Benjamin Harrison as governor between November, 1781 and November, 1784.

Harrison became chief executive six weeks after Lord Cornwallis surrendered his British troops to General George Washington at Yorktown. During his years in office the United States signed the treaty of peace with Great Britain bringing the Revolution to a successful conclusion, and Virginia completed the cession of her Northwest Territory to the Confederation. While these important events are considered as related to state affairs, the major emphasis is on the governor and the problems he faced as chief executive in a time when the legislature possessed disproportionate power.

The framers of the Federal Constitution shared with Benjamin Harrison a knowledge of the evils of excessive parliamentary authority. They had been exposed, also, to the problems of extensive executive power during colonial days. Their experiences with abuse of power in different forms explain more clearly their production of a system of government with numerous checks and balances. Hence, an understanding of events that happened before the Constitution was written, such as Benjamin Harrison's experiences as governor of Virginia, helps to provide an appreciation of the system that was designed to control evils known to follow concentration of power in one arm of government.

The study of Harrison and his administration can help, also, in understanding the more typical man of that age. Washington, Jefferson and Madison were the unusual, the men with the broader vision and expanded horizon. Benjamin Harrison was more a child of his times, a friend of union, but a Virginian first. He believed in liberty, but fought for fiscal integrity and responsible government. He was the practical politician of his day and age, patriotic, with a high sense of honor, but practical, with a parochial outlook. This essay seeks to portray the man and his administration.

In writing this thesis, I have had help and encouragement from many people. The American Association of University Women, through its College Faculty Program, made it possible for me to return to graduate school. Mr. William M. E. Rachal, editor of The Virginia Magazine of History and Biography, suggested the topic for my study, and made available many helpful source materials. The staffs of the Virginia State Library, the Virginia Historical Society, and the Boatwright Memorial Library of the University of Richmond gave unfailing courtesy and constant help in my research.

My most grateful appreciation goes to Dr. Ralph C. McDanel and Dr. Joseph C. Robert, who gave me constant help and encouragement in all phases of the work.

Finally, I am indebted to my teen-aged children, Alan and Sally Teeter, who cheerfully accepted the many inconveniences caused by a mother who returned to school.

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INTRODUCTION

The purpose of this research has been to study in detail the administration of Benjamin Harrison as governor of Virginia from November, 1781 to November, 1784.

The work of any governor is influenced to a great degree by the political, economic, and social conditions of the society in which he serves, and by the character of the man himself. Therefore, the first chapter of the study presents a summary of conditions in Virginia at that time, and the second delineates the man, his family background, his political experiences, and his character traits.

The third chapter examines Harrison's administration as governor, and is divided into four parts. The first is a summary of the position of the executive in the government at that time. The remaining three sub-divide the problems Harrison faced into political, economic, and military categories.

A brief summary of the man and his achievements as governor completes the study.

CHAPTER I

THE TIMES

VIRGINIA - 1782

The Battle of Yorktown was the determining factor of conditions in Virginia in 1782. That French-American victory in October, 1781 over the British invaders had released the state from immediate danger, and Virginians experienced the apathy that follows crisis. The mood was that of a war-weary people, still resolved to fight for independence, but, after seven years of struggle, more aware of the cost. There was less interest in the liberal reforms of the early years of the Revolution, and more in fiscal responsibility. Local economic problems took precedence over the military needs of the Confederation.

The people's mood could be quickly expressed in governmental action by the system established under the Constitution of 1776. That document reflected the Revolutionary emphasis on the sovereignty of the people, as expressed in George Mason's Bill of Rights, and placed supreme power in the people's representatives, the General Assembly.¹ The citizens were assured of constant control of their delegates

¹Francis Newton Thorpe, A Constitutional History of the American People, 1776-1850, 2 vols. (New York, 1898), I, 49.

through annual elections.² Assembly sessions were held twice a year, once in the spring, and once in the fall.³

In the early years of the Revolution the Assembly had followed Thomas Jefferson and reflected the popular enthusiasm for individual liberty and social reform. In the fall and winter of 1781-82 it showed the people's preoccupation with economic affairs.

After the victory at Yorktown, the government, like the people, placed first emphasis on its own economic concerns. The situation was indeed desperate. The treasury was empty, and military and civil personnel dependent on it were destitute, suffering from lack of food, clothing, housing, and transportation. The state was " . . . deluged with paper money, its Credit totally lost. . .

In addition, the war was not over, and General Greene was calling desperately for supplies for his southern army.⁵

²William Waller Hening, ed., The Statutes at Large: Being A Collection of All the Laws of Virginia, 13 vols. (Richmond, Philadelphia, and New York, 1809-1823), IX, 114.

³Ibid., Vols. IX, X, XI, passim.

⁴H. R. McIlwaine, ed., Official Letters of the Governors of the State of Virginia, 3 vols. (Richmond, 1926-1929), III, 170. Cited hereafter as Official Letters.

⁵General Nathanael Greene to Col. William Davies, December, 1781 in William P. Palmer, Sherwin McKee, and H. W. Flourney, eds., Calendar of Virginia State Papers, 11 vols. (Richmond, 1885-1893), II, 674.

The British were still in New York, Charleston, and Savannah. The Virginians could not know in 1782 that Yorktown would be called the last battle of the Revolution, and the legislature must be prepared to continue the support of the general war effort.

In the attempt to restore the state's finances, the first problem the Assembly had to face was that of the over-issue and depreciation of paper money. These difficulties had been growing since the interregnum government ordered the first issue in July, 1775, blaming the needs of war and the necessity of suspending the payment of taxes " . . . to suit the distressed circumstances of the inhabitants of the colony. . . ." The needs kept growing, and successive issues of paper money had been ordered by the General Assembly throughout the years 1776 to May, 1780, with the paper authorized as legal tender for debts.⁷ Though the spring Assembly in 1780 initiated the first serious steps to halt the depreciation of the currency,⁸ the reform was far short of accomplishment by November of 1781. Increased demands for the war effort occasioned by the British campaign in the

⁶Hening, op. cit., IX, 67.

⁷Ibid., IX, X, passim.

⁸Ibid., X, 280.

South,⁹ a continued failure to collect taxes with vigor, plus the almost complete loss of trade, resulted in the critical financial situation in 1782.

Some idea of the aggregate inflation during the 1778 to 1783 period is indicated in a report to the General Assembly of the paper money paid into the treasury during those years for property sequestered from British citizens or sympathizers, according to the several stages of depreciation. The total paper money received was 273,554 pounds, with the "value in specie" reported at 15,044 pounds.¹⁰

The fall Assembly of 1781 which elected Benjamin Harrison governor faced the paper money problem by calling in all issues,¹¹ demanding extreme economy in government, and passing an extensive tax bill.¹² However, it postponed taxes then due until April 1st,¹³ thus leaving the problem

⁹Donald E. Reynolds, "Ammunition Supply in Revolutionary Virginia", The Virginia Magazine of History and Biography, Vol. 73 (January, 1965), 56-77.

¹⁰Report to General Assembly, "Accounts of paper money paid into treasury for property sequestered according to several stages of depreciation", June, 1783, in Benjamin Harrison, Governor of Virginia, 1781-1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

¹¹Hening, op. cit., I, 456.

¹²Ibid., 501-504; 510-511.

¹³Ibid., 494.

of an empty treasury unresolved.

The reluctance to vote and enforce payment of heavy taxes to finance the war effort was a basic cause of the state's financial embarrassment. The legislature, representatives of a people sensitive to the subject of taxation, were slow to face the financial burdens of an independent state. Edmund Randolph, writing thirty years later, described this reluctant acknowledgment as brought on by paper money depreciation. In his "Essay on the Revolutionary History of Virginia" he said:

The corroding tooth of depreciation had so deeply eaten into the credit of paper money; and the variety and magnitude of public expense had poured from the press such torrents of this medium, that the assembly could no longer abstain from the delicate subject of taxation.¹⁴

The Assembly which met in October, 1777 had been the first to pass a comprehensive tax law, placing levies on land, slaves, personal property, licenses, salaries, and "net income of all offices of profit."¹⁵ It laid duties on tobacco and liquors, and provided a poll tax. It established a tax collection system through county commissioners, assessors and sheriffs.¹⁶ Each succeeding Assembly provided for taxes

¹⁴Edmund Randolph, "Essay on the Revolutionary History of Virginia", The Virginia Magazine of History and Biography, Vol. 44 (April, 1936), 114.

¹⁵Hening, op. cit., IX, 350.

¹⁶Ibid., 351-364.

in a similar manner.¹⁷ The one which met in May, 1779 was the first to vote an enumerated commodities tax. This levy was a poll tax to be paid in a choice of wheat, corn, oats, hemp, or tobacco by March of each year.¹⁸

Though it had accepted the responsibility of voting taxes, the General Assembly was still most sensitive to its constituents' complaints. There were many precedents to the postponements of taxes voted by the fall Assembly of 1781. Deficit financing was the order of the day.

In addition to this erratic tax attitude of the General Assembly, inefficient methods of tax collection, and the lack of executive power to enforce tax laws contributed to the financial distress of the state. These practices resulted in an amazing delinquent record. The report of the Solicitor's Office for taxes due in 1782 showed approximately one-fifth the land taxes and one-third the property taxes unpaid.¹⁹

Thus, heavy war expenditures, no trade, paper money depreciation, taxes postponed and uncollected left the treasury in no condition to meet requirements of military

¹⁷Ibid., IX, X, passim.

¹⁸Ibid., X, 79.

¹⁹The figures were 12,040 pounds of 57,477; 66,935 of 175,332. Report of Solicitor's Office to General Assembly, May 10, 1783, Executive Communications.

and civil personnel depending upon it, hence their destitute condition in early 1782.

The economic and military situation had changed the political climate. Thomas Jefferson's election as governor in the spring of 1779²⁰ had removed him from the center of political activity, and had halted his reform program. Also, the growing military crisis that developed with the British invasion of 1781 turned all thoughts to matters of defense. In June of 1781, Jefferson refused to stand for re-election as governor, feeling the situation demanded a man with military experience,²¹ and the Assembly elected Thomas Nelson as the chief executive.²² He served primarily as a military commander during the months before Yorktown, and resigned as governor November 22, 1781,²³ after serving only six months. It was upon receipt of his resignation that the Assembly elected Harrison the new chief magistrate.²⁴

²⁰Thomas Jefferson, Autobiography, with an Introduction by Dumas Malone (New York, 1959), 63.

²¹Ibid.

²²Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held at the Capitol in the City of Richmond in the County of Henrico, on Monday, the Seventh Day of May in the Year of Our Lord One Thousand Seven Hundred and Eighty-One (Richmond, 1828), 15. Cited hereafter as J.H.D., (month, year).

²³J.H.D., op. cit., October, 1781, 11.

²⁴Ibid., 22.

As Benjamin Harrison became the governor of Virginia, the victory at Yorktown had relieved Virginians from active military danger. This relaxation had resulted in a concentration on local economic affairs by the people and by the government. The state finances in particular were in desperate circumstances. Any solution to the financial problems, however, would have to be accomplished under a system which placed ultimate power in the legislature and gave the executive little discretion in policy or administration.

CHAPTER II

THE MAN

BENJAMIN HARRISON V, OF BERKELEY

The man who became the fourth governor of Virginia was a member of the state's indigenous planter aristocracy which accepted active participation in government as a part of its natural responsibilities. The Harrison family, whose fortune was made in land and trade,¹ had been a part of that elite society for three generations when Benjamin V was born, and its members had a record of public service through the years in the House of Burgesses and on the Governor's Council.² The new chief executive, fifth of his name in Virginia, made a life-long career of participation in public affairs.

Benjamin Harrison the Signer³ was fifty-five years old when elected governor, having been born in 1726, eldest son of Benjamin Harrison IV and Anne Carter Harrison (daughter

¹Pauline Pearce Warner, Benjamin Harrison of Berkeley. Walter Cocke of Surry, Family Records I (Tappahannock, Va., 1962), 9-21, passim; Clifford Dowdey, The Great Plantation (New York, 1957), 74-130, passim.

²Ibid.

³He is called "V" and "The Signer" (of the Declaration of Independence) to distinguish him from the numerous other members of the family with the same name. Dowdey, op. cit., 73.

of land magnate "King" Carter).⁴ He was born at Berkeley, the new manor house built by his father on the north shore of the James River in Charles City County, and was a member of a large family, with five brothers and two sisters to live past childhood.⁵ The family, as in generations past, inter-married with similar members of the gentry. One brother-in-law was Peyton Randolph, first president of the Continental Congress, and another was William Randolph of "Wilton" in Henrico County, clerk and member of the House of Burgesses.⁶ His brothers were active citizens in Cumberland, Sussex and Prince George counties, and one was chief of artillery to General Nathanael Greene.⁷

After a period as student at William and Mary College in Williamsburg,⁸ Benjamin became head of the family at eighteen on the death of his father by lightning in 1744.⁹ Four years later he was elected, as his father before him,

⁴Warner, op. cit., 7.

⁵Charles F. Keith and Henry H. Wilson, The Ancestry of Benjamin Harrison (Harrisburg, Va., 1932), copy of genealogical chart in the Virginia State Library.

⁶Warner, op. cit., 23.

⁷Ibid., 22.

⁸H. R. McIlwaine, ed., Official Letters of the Governors of Virginia, 3 vols. (Richmond, 1926-1929), III, 103. Cited hereafter as Official Letters.

⁹Warner, op. cit., 21; Dowdy, op. cit., 157.

delegate from Charles City county to the House of Burgesses.¹⁰

This was the beginning of a life of public service that would last for forty-three years, spanning the Stamp Act crisis of 1765, the Revolution, the Confederation, and the ratification of the Constitution of the United States. He served on early Revolutionary bodies, such as the Committee of Correspondence;¹¹ he was a Virginia delegate to the first three Continental Congresses, where he served as chairman of numerous committees, and signed the Declaration of Independence.¹² On his return to Virginia he served as Speaker of the House of Delegates (perhaps the most important position in the government) from May, 1778 until he was elected governor in November, 1781.¹³

In his family life, the future governor married Elizabeth Bassett, eldest daughter of William Bassett of "Eltham", a member of the House of Burgesses.¹⁴ They had

¹⁰H. R. Mollwaine, ed., Journals of the House of Burgesses of Virginia, 1742-1747; 1748-1749 (Richmond, 1909), ix.

¹¹John Fendleton Kennedy, ed., Journals and Minutes of the Committee of Correspondence (Richmond, 1905), 39.

¹²Report of the Benjamin Harrison Memorial Commission (Washington, 1941), 35; Facsimile of The Declaration of Independence published by Seaver & Company, New York, 1861. Copy in Virginia Historical Society.

¹³Earl G. Swen and John W. Williams, A Register of the General Assembly of Virginia, 1776-1918 (Richmond, 1918), 5, 8, 11.

¹⁴Keith, op. cit., Genealogical Chart.

seven children, four daughters and three sons.¹⁵ The youngest, William Henry Harrison, born in 1773, became the hero of the battle of "Tippecanoe" in the War of 1812, and the ninth president of the United States.¹⁶ William Henry's grandson, named the customary Benjamin as firstborn son of his family, became the twenty-third president of the United States in 1889.¹⁷

The new governor was a big man, described by his son, William Henry, as standing six feet four inches tall, and weighing, in his later years, 249 pounds.¹⁸ He was known for his good humor, his hospitality, his love of good food and drink. An early biographer described him, saying:

Those who recollect Mr. Harrison, speak of him as a man above the ordinary height and very muscular; in his carriage he was remarkably dignified; and in his latter years he became corpulent. This arose from his mode of living which was high convivial. He enjoyed and indulged in the pleasures of the tables, though never beyond the limits of propriety. This habit, however, tended much to impair the vigour of his constitution; and his features, which in early life were handsome, became at last coarse and red.¹⁹

¹⁵ Benjamin Harrison, The Will of Benjamin Harrison the Signer, 1790. Photostatic copy in the Virginia State Library; Keith, op. cit., Geneological Chart.

¹⁶ Keith, op. cit., Geneological Chart.

¹⁷ Ibid.

¹⁸ Report of the Benjamin Harrison Memorial Commission, op. cit., 30.

¹⁹ John Sanderson, Biography of the Signers of the Declaration of Independence, revised and edited by Robert F. Conrad (Richmond, 1846), 727.

By the time he became governor, Harrison had passed the prime of physical health, and his recurring enemy, gout,²⁰ undoubtedly contributed to a certain irritability more noticeable than good humor at this time in his correspondence.

In character, the new chief executive had the self-assurance of one born to wealth and position, but his practical common sense forbade a proud and haughty spirit. He was a fair man who could speak of Indians as "those poor creatures",²¹ and make himself the advocate of slaves, asking the General Assembly to free some whose masters had sent them to the army as replacements, and then attempted to re-enslave them.²² He was willing to admit mistakes. "I promised the Captain to do this but it really slipped my memory - you'll please to impute the neglect to me and not to the captain."²³

Harrison's sometimes blunt language expressed his innate honesty and downright candor. "I never was more

²⁰Dowley, op. cit., 279.

²¹Harrison to Thomas Jefferson, March 23, 1784, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbook. Mss. in Virginia State Library. Cited hereafter as Executive Letterbook.

²²Harrison to the General Assembly, October 29, 1783, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

²³Harrison to Col. Charles Dabney, July 17, 1784, in Official Letters, op. cit., 271.

astonished in my Life than I am at the contents of your Letter", he began a reply to a county lieutenant.²⁴ " . . . for God's sake how long will it be before these troops march. . . ." ²⁵ he exploded in writing about Continental troops meant for General Greene. In a letter to Virginia Delegates to Congress, the governor's indignation spilled over in his frustration at failure to secure arms for the state. He said:

If another invasion comes and the country is overrun by the enemy for want of them ~~guns~~²⁶ what ought to be the Portion of those who occasioned²⁶ ~~it~~²⁷ I dare say you will join with me in saying a Rope.²⁷

He reproved the legislature, saying:

The Assembly fled from this place on Monday last to their Christmas dinners with as much haste as they did when Arnold paid us a visit and of course have²⁸ left much of the public business of consequence undone.²⁸

²⁴Harrison to Col. Mathew Godfrey, July 20, 1782, Ibid., 275.

²⁵Harrison to Mr. William Ronald, January 23, 1782, Ibid., 135.

²⁶I have used the literal spelling and punctuation in all quotations, and have avoided the traditional use of sic because the numerous instances where it would be necessary would impede the portrayal of personality I hope the language will convey.

²⁷Harrison to Virginia Delegates to Congress, March 29, 1783, Executive Letterbook.

²⁸Harrison to Virginia Delegates in Congress, December 26, 1783, in Julian P. Boyd, ed., The Papers of Thomas Jefferson (Princeton, 1950), VI, 421.

Very occasionally the governor would be raised to cold fury, and the cause always involved implications on his honor or that of the office he occupied. Such a time arose in conflicts over payments to French creditors, to a M. Gratiot, in particular. Harrison wrote:

The question you ask . . . is extremely insulting and requires not an answer. [Here his sense of fairness intervened and he explained the actions of the state.]²⁹ . . . You injuriously charge me with seeking Opportunities to impose on the unhappy Men who have advanced their Fortunes to the State, this is a language I have not been use to in any station, & that shall not be used to me in the one I have the honor at present to be placed. You'll therefore²⁹ not again give me the trouble of your Epistles. . . .

While he could be blunt, the governor also could spin the extravagant phases of elegance often affected at that time. In congratulating the minister of France on the birth of the Dauphin he wrote:

. . . most fervently wish that he may be endued with every accomplishment that can adorn the Human Mind, that as He advances in Years He may grow in greatness, and that He may at some distant period fill the Throne of His August Parent, may emulate his virtues, and like Him become the Guardian and protector of the Rights of mankind.³⁰

As a life-long parliamentarian, Harrison was innately aware of the General Assembly's jealousy of its prerogatives, and as governor was always mindful of this in his communications

²⁹Harrison to Charles Gratiot, July 30, 1782, in Official Letters, op. cit., 285.

³⁰Harrison to the Chevalier de la Luzerne, Minister of France, July 15, 1782, Ibid., 275.

to that body. He would state his opinions, but close with such a statement as " . . . yet I shall press it no farther as the Assembly with whom it rests to give a sanction to the measure are so fully competent to the subject."³¹

Benjamin Harrison was a child of his times in his primary allegiance to his native state, and never attained the more objective, Continental viewpoint of Washington or James Madison. Although he always remained a friend of the Confederation, he was at times a critical and rather biased one. Virginia claimed his first allegiance.

The governor reflected his times, also, in his attitude toward slavery. As most of his class, he regarded the institution as an ordinary, established pattern of society. He wrote many letters during his terms as governor attempting to locate his slaves and those of others who had escaped with the British. Within the recognized system, however, he did respect justice and the mores of the society, hence his willingness to intercede with the Assembly on behalf of the slaves sent to fight as replacements for their masters.

One of the most important influences in Harrison's life was his friendship with George Washington. Their correspondence continued throughout Harrison's years as chief

³¹Harrison to the Chevalier de la Luzerne, Minister of France, July 15, 1782, Ibid., 275.

executive, and undoubtedly much of the governor's cooperation with the Confederation was a result of his exposure to Washington's more expanded viewpoint.³² One of Harrison's last acts as governor was to recommend to the Assembly Washington's plans for opening the west to trade by building canals on the James and Potomac rivers.³³

Washington found Harrison a dependable friend. In January, 1776 when the army commander desperately needed a confidential secretary, and wanted Joseph Reed for the post, he wrote, " . . . hint the matter to Col. Harrison, I dare venture to say, that Congress will make it agreeable to you in every shape they can."³⁴ On another occasion, in early 1781 while Harrison was Speaker of the House of Delegates, he intervened to stop well-meaning legislators from embarrassing Washington by passing a bill providing a pension for his mother.³⁵

Harrison's personality, background, interest, and

³²For an example of Washington's influence, see page 59 following, in "Political Problems, The Confederation."

³³Harrison to the General Assembly, October 10, 1784, Executive Communications.

³⁴Washington to Joseph Reed, January 23, 1776 in John C. Fitzpatrick, ed., The Writings of George Washington, Bicentennial edition, 39 vols. (Washington, 1931-1944), IV, 268.

³⁵Harrison to Washington, February 25, 1781; Washington to Harrison, March 21, 1781, Ibid., XXI, 340-1.

abilities formed a figure his contemporaries found worthy of trust in public affairs. His success as a politician is documented in his sixteen successful elections to the General Assembly from 1752 to 1781,³⁶ his return to the legislature after his terms as governor,³⁷ and his almost continual election as Speaker of the House.³⁸

This record was not made without opposition. In fact, a defeat in the election after he left the governor's chair, and his subsequent recovery of power demonstrates perhaps most clearly the extent of his political strength. In the spring of 1785 Harrison was defeated in his bid for an Assembly seat from his home county of Charles City. One contemporary surmised that ". . . the machinations of Tyler,"³⁹

³⁶Robert Eldon Brown, Virginia, 1705-1786: Democracy or Aristocracy (East Lansing, Michigan, 1964), 230.

³⁷Swem and Williams, op. cit., 21.

³⁸Ibid., 5, 8, 11, 21.

³⁹John Tyler was a delegate from Charles City county. He was elected Speaker in November, 1781 after Harrison was chosen governor. In the spring Assembly of 1783 Richard Henry Lee was nominated for Speaker. Patrick Henry nominated Tyler, who was elected by a vote of 61 to 20. Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held at the Capitol in the City of Richmond in the County of Henrico, on Monday, the First Day of October in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three (Richmond, 1828), 24; Ibid., May, 1783, 4. All Journals cited hereafter as J. H. D. (month, year).

who fears a rivalry for the chair, are at the bottom of his difficulties."⁴⁰ Whatever the reason, the irrepressible former governor moved bed, clothes, and servant across the river to holdings in Surry county, stood for election there, and won.⁴¹ He won also the expected contest for the Speaker's chair from Tyler by a vote of 54 to 39.⁴² When his opponent was named chairman of the Privileges and Elections committee and that group brought in a recommendation that Harrison be declared ineligible because he failed to meet residence requirements, a recorded vote of 57 to 49 overthrew the report, and sustained Harrison.⁴³ Thus, in spite of a rather tenuous constitutional position of residency and the opposition of Patrick Henry's protege, John Tyler, Harrison succeeded in this political struggle.

Two observations of the governor from totally different persons blend to give a composite picture of the man. John Adams, who met Harrison at early sessions of the Continental Congress, called him " . . . an indolent, luxurious, heavy gentleman. . . . He was represented to be . . . a corner stone in which the two Walls of Party met in Virginia."⁴⁴

⁴⁰Gaillard Hunt, The Writings of James Madison, 9 vols. (New York, 1901), II, 138.

⁴¹J. H. D., October, 1785, op. cit., 21.

⁴²Ibid., 4.

⁴³Ibid., 21.

⁴⁴L. H. Butterfield, ed., Diary and Autobiography of John Adams, 4 vols. (Cambridge, 1961), III, 367.

A foreign observer, the Marquis de Chastellux, found the governor an admirable figure. He wrote:

I was furthermore particularly happy to form an acquaintance with a man of so estimable a character in every respect, and who needs no other praise than for me to say that he is the intimate friend of Dr. Franklin.⁴⁵

In another comment on his visit to the governor, Chastellux emphasized the republican character of the man and the office, saying, "When the Assembly is not in session there is nothing to distinguish him [the governor] from the other citizens."⁴⁶

This was the man who was elected governor of Virginia in November, 1781. To summarize, he was an aristocrat who made political affairs his responsibility and his life-long career. He was a big man, past the prime of life, sociable, indulging perhaps too much in food and drink, unskilled in business, and plagued with gout. This convivial gentleman was also, however, a man of integrity, one whom men trusted, who spoke his mind with appealing candor. He was impatient and irritable when frustrated, but open-minded and fair, with a deep love of justice and orderly procedure in democratic government.

⁴⁵Marquis de Chastellux, Travels in North America in the Years 1780, 1781, and 1782, 2 vols. (Chapel Hill, N. C., 1963), II, 430.

⁴⁶Francois Jean Chastellux, Voyage en Amerique, 1st edition (n.p., 1785), 192. In the library of the University of Virginia.

CHAPTER III

THE ADMINISTRATION

I. THE PLACE OF THE GOVERNOR

The problems and accomplishments of Benjamin Harrison as governor of Virginia were circumscribed by the limitations on the office he held. These restrictions were written into the Constitution of 1776. Compared with the colonial system, the government inaugurated by this new instrument vastly increased the power of the General Assembly, debilitated that of the governor, but left virtually intact the county institutions. The reasons for these changes can be found in the colonial experiences of the Virginians.

From the time the colony was taken under royal control in 1625, the supreme power in the state was the royal governor, appointed by and responsible only to the king. He had the power of appointment and suspension of judges, magistrates, and other colonial officials. Besides the veto power, he could summon, prorogue, and dissolve the legislature. He was commander-in-chief of the militia, and responsible for all military affairs.¹ He symbolized in his person the royal power of the King in Virginia.

In general, the colony grew and prospered under this

¹Oscar Theodore Barck, Jr., and Hugh Talmage Lefler, Colonial America (New York, 1958), 252-3.

system, and many of the governors were regarded with admiration and affection by the people. Conflict was inevitable, however, as the governor's first duty was to the King, and he must obey instructions drawn with the primary interests of England in mind, while the Virginians' primary interest was Virginia. For example, Sir William Berkeley, in his second term as governor from 1660 to 1677 alienated the people with his autocratic methods, excessive taxation, and Indian policies.² Nathaniel Bacon's short-lived revolt against him has been called by some a prelude to the successful revolution of 1776.³

The activities of Governor Dunmore in 1775 in the early stages of the Revolution left the Virginia Whigs particularly bitter toward the executive power symbolized by the royal governor.⁴

In contrast, from the first meeting of the House of Burgesses in 1619, the people regarded that body as the defender of their rights,⁵ since selection of Burgesses was their only active participation in government. They had no

²~~Ibid.~~, 207.

³Thomas J. Vertenbaker, Torchbearer of the Revolution, the Story of Bacon's Rebellion and Its Leader (Princeton, 1940), passim.

⁴Barck and Lefler, op. cit., 621.

⁵Francis Newton Thorpe, A Constitutional History of the American People, 1776-1850, 2 vols. (New York, 1898), I, 75.

voice in the choice of Governor, Councilors, or local officials, but Burgesses they did elect, and through these men they could speak to governor and king.

Historians have differing opinions on the extent to which the Assembly represented the people. Some have contended that elections were a farce, being controlled by the oligarchy of wealthy planters. Others have maintained that the electorate exercised free choice, but wisely selected leaders from the wealthy, educated minority.⁶ A recent study presents statistical evidence of short tenure of Burgesses, interpreted to mean free choice by the people with aristocrats forced to cater to popular interests.⁷ While opinions differ in these areas, most students agree that the House of Burgesses did represent the interests of Virginia when these collided with imperial English policies, and that during the 18th century the Burgesses gained increasing power in the government of the state.⁸ By the time of the Revolution, the Assembly had become the focal point of colonial rebellion. As such, it was regarded as the protector and defender of the

⁶Charles S. Sydnor, Gentlemen Freeholders: Political Practices in Washington's Virginia (Chapel Hill, 1952), passim.

⁷Robert Eldon Brown, Virginia, 1705-1786: Democracy or Aristocracy (East Lansing, Michigan, 1964), passim.

⁸Barck and Lefler, op. cit., 256.

people's rights against the despotism symbolized in the royal governor.

During colonial days, power in the General Assembly itself was held by a few key men, elected continually, who exercised major control in state affairs.⁹ While the average legislative tenure may have been short,¹⁰ longevity of leadership was the rule.¹¹ Once a man had demonstrated ability and the political acumen to secure continual election, it was difficult for a newcomer to challenge him. This conflict could happen, as it did during the Stamp Act crisis of 1765 when Patrick Henry won adoption of his resolutions against the traditional leaders such as Randolph, Pendleton, and Blair.¹² Such a development was the exception rather than the rule, however.

Benjamin Harrison exemplified the traditional features of Virginia political life. He had secured power through customary foundations of family, wealth, service in the county court and militia, membership and leadership in the General Assembly. Through the years he had been found responsible and this responsibility had been rewarded with

⁹Sydnor, op. cit., 96.

¹⁰Brown, op. cit., 230.

¹¹Sydnor, op. cit., 96.

¹²Ibid., 105.

increasing honors. In addition, his convivial nature and secure social position made easy contact with all classes possible. This was an important aspect in his record of sixteen successful elections between 1752 and 1781.¹³

Harrison's local base of power as justice and county lieutenant of militia exemplified also the system of local government which along with the royal governor and councilors, set the aristocratic tone of Virginia political life.¹⁴ There was no election of local officials. Members of the county court, which controlled legislative, judicial, and executive functions in the county; members of the vestry, which administered the affairs of the established church; and, officers of the county militia all were appointed by the governor, but on the recommendation of the local body concerned.¹⁵ Thus local officials were self-perpetuating, and longevity of leadership there was as pronounced as it was in the General Assembly.

These practical features of political life had remained unchanged by the Revolution and the new constitution. The

¹³Only Richard Lee of Westmoreland with a record of seventeen consecutive elections had a longer tenure. Brown, op. cit., 230.

¹⁴Brown, op. cit., 217.

¹⁵Carl Bridenbaugh, Seat of Empire. The Role of Eighteenth Century Williamsburg (Williamsburg, Va., 1950), 14; Barck and Lefler, op. cit., 50.

local justices of the peace and the county lieutenants, once appointed to office, were virtually autonomous. The constitution specifically allowed local judges to be members of the General Assembly, while separating all other legislative-executive-judicial functions.¹⁶ The steps to election and power in the General Assembly continued in the pattern that had been followed by Harrison.

The power of the Assembly in state affairs, however, was vastly increased by the Constitution of 1776. That instrument was written by leaders of the Revolution who had received their political education in the Assembly when it had fought for the people's rights against an executive considered despotic. Therefore, they placed the principal power of government in the legislature, and hedged the executive with numerous safeguards to prevent the recovery of former authority. Among these safeguards were the manner of election of the governor, his length of term, and the Executive Council provided to advise him.

The governor was elected by the Assembly for a one-year term. He could serve for three terms, but was then disqualified for the next four years.¹⁷ The eight members of

¹⁶William Waller Hening, ed., The Statutes at Large: Being A Collection of All the Laws of Virginia, 13 vols. (Richmond, Philadelphia, and New York, 1809-1823), IX, 114. Cited hereafter as Hening, Statutes.

¹⁷Ibid., 115.

the Council of State also were elected by the Assembly, and the governor enjoyed little power apart from this body.¹⁸ It was solid evidence of the people's distrust of governors.¹⁹

The combined executive of governor and council was given no stated powers by the Constitution except that of pardon and reprieve when the case had not been tried by the Legislature.²⁰ The general grant of executive power was to the governor who should " . . . with the advice of a Council of State, exercise the executive powers of government according to the laws of this commonwealth. . . ." (emphasis mine).²¹ The legislature, of course, made the laws, and the Constitution expressly prohibited the governor from adjourning or dissolving the General Assembly.²²

The powers given to the Governor by the legislature varied from time to time, but in general they were always "with the advice of Council," and were temporary, lasting only until the next session of the Assembly. The general powers, usually renewed from term to term, were roughly those exercised by the old Committee of Safety established by the Convention of 1775, to which the Constitution referred

¹⁸Ibid., 115, 116.

¹⁹Thorpe, op. cit., 77.

²⁰Henning, Statutes, op. cit., IX, 115-116.

²¹Ibid., 115.

²²Ibid., 116.

in its transference of power from Convention to Constitution.²³ These at first were chiefly military, such as granting commissions to officers (after these were appointed by the Assembly), calling the militia into action, directing the movement of the army, collecting arms and ammunition, calling for and giving aid to neighboring states, and maintaining contact with county officials.²⁴ As the administrative system developed, the Executive was given authority over such boards as that of War and of Trade,²⁵ although the Assembly appointed the members of these boards.²⁶ Later, the Executive appointed officials whose office became vacant between Assembly sessions,²⁷ appointed county officials (on advice of County Court),²⁸ and granted licenses to practice law.²⁹ Minor administrative details, such as maintaining the jail,³⁰ and providing fenders for fireplaces in the public

²³Ibid., 121.

²⁴Ibid., 49-53.

²⁵Ibid., X, 17.

²⁶Ibid.

²⁷Ibid., IX, 475.

²⁸Wilmer L. Hall, ed., Journals of the Council of the State of Virginia, 3 vols. (Richmond, 1952), III, 24. Cited hereafter as Council Journals.

²⁹Ibid., 59

³⁰Hening, Statutes, op. cit., IX, 478.

building³¹ also fell to the Governor and his Council.

As war emergencies grew in intensity, the legislature gave the executive important, but still temporary, new powers. The Governor and Council could send the militia out of the state,³² could place an embargo on certain articles,³³ and could impress men and materials to supply troops.³⁴

The civil duties which the Governor could perform singly were very few, and such authority was most obscure.³⁵ He presented messages to the Assembly, signed and sealed bills, and announced new laws to the citizens.³⁶ Occasionally he was given some discretion in naming officials after the need for the office had been determined. For instance, in the tax bill passed in 1781, he was given the power to appoint other places and persons for the reception of flour for the specific tax.³⁷ On another occasion, he named Archibald Blair

³¹Council Journals, op. cit., III, 7.

³²Hening, Statutes, op. cit., IX, 428-9.

³³Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held at the Capitol in the City of Richmond in the County of Henrico on Monday the Seventh Day of May, in the Year of Our Lord One Thousand Seven Hundred and Eighty-One (Richmond, 1828), 32. All Journals cited hereafter as J. H. D., (month, year).

³⁴Hening, Statutes, op. cit., IX, 584.

³⁵Thorpe, op. cit., I, 35.

³⁶Margaret Burnham MacMillan, The War Governors in the American Revolution (New York, 1943), 219.

³⁷Hening, Statutes, op. cit., X, 509.

as Keeper of the Seal of Virginia after the Council had advised him that such a person should be appointed.³⁸ The appointive power was so meager, however, that it hardly can be considered a power. Furthermore, as Harrison found in his attempt to remove a justice of the peace conspicuously unsuited for the position, the power to appoint did not carry with it the power to remove from office.³⁹

In military affairs the governor's power was more pronounced. He commissioned officers elected by the Assembly,⁴⁰ and had comprehensive control over militia movements after units had been called with advice of Council.⁴¹ In the popular conception, the governor was most closely identified with the military. " . . . he was the man on horseback."⁴² It was this phase of his duties as governor that lent authority, glamor, and prestige to the office, making it the pinnacle of political prestige.⁴³

³⁸Council Journals, op. cit., III, 122.

³⁹Harrison to the General Assembly, May 19, 1783, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

⁴⁰Hening, Statutes, op. cit., IX, 193; Council Journals, op. cit., III, 116.

⁴¹Hening, Statutes, op. cit., IX, 117.

⁴²Thorpe, op. cit., I, 42.

⁴³Ibid., 87.

Even in this area, however, the governor's power was carefully restricted. He had to have advice of Council to appoint militia officers, and the choice had to come from recommendations submitted by the county court.⁴⁴ The Assembly could make final military plans, as when it proscribed offensive operations in the west in the fall of 1781.⁴⁵ By controlling the purse, it most effectively limited the governor's military operations.

In addition to the constitutional limitations, the governor and his Council in 1782 found themselves with considerably fewer powers granted by the legislature than had been true of their predecessors. The fall Assembly in 1781 did not renew the power to send the militia out of the state, or to establish emergency courts.⁴⁶ The power of impressment was regulated, and the governor's right to place embargoes was repealed.⁴⁷ According to Harrison, who was Speaker of the House during the first part of that session, this was a part of the legislature's attempt to retrench and

⁴⁴Hening, Statutes, op. cit., IX, 117.

⁴⁵Harrison to General George Rogers Clark, March 24, 1782, in H. R. McIlwaine, ed., Official Letters of the Governors of Virginia, 3 vols. (Richmond, 1926-1929), III, 181. Cited hereafter as Official Letters.

⁴⁶J. H. D., October, 1781, op. cit., 73-4, passim.

⁴⁷Ibid.

consolidate the financial affairs of the state.⁴⁸ It could have been a reaction, also, to the strong methods Thomas Nelson used as governor in the six months' military emergency preceding and including the battle of Yorktown.

Restrained by constitutional boundaries, limited by legislative law, connected by name of office with reminders of despotic power, the governor of Virginia in 1782 had little power in any field. With no power, he had no base for political influence except the friends made in former days in the legislature. Even this source was limited by the Assembly's jealousy toward its prerogatives, and its dislike of anything hinting of executive interference. In facing any problem, the governor had to remember such limitations to his possible action, and any study of his accomplishments must be made in the understanding of such restrictions.

These limitations on the executive and dominance of the legislative branch of government in Virginia were typical of those in the central government and in those of the other states.⁴⁹ The Articles of Confederation contained no reference to any executive, giving all the stated powers to

⁴⁸Harrison to General Nathanael Greene, March 4, 1782, in Official Letters, op. cit., 169.

⁴⁹Thorpe, op. cit., I, 84-7.

"the United States in Congress assembled."⁵⁰ There were numerous minor differences in the state constitutions, but all showed the same distrust of executive power characteristic of the times.⁵¹

Benjamin Harrison discovered these problems of disparity in governmental powers soon after he was elected, and contended with them throughout his administration. His struggles to provide efficient administration under such difficulties reveal many of the dilemmas caused by weak executive power.

⁵⁰Francis Newton Thorpe, The Federal and State Constitutions, 7 vols. (Washington, 1909), I, 9-17.

⁵¹Thorpe, Constitutional History, op. cit., I, 84.

II. POLITICAL PROBLEMS

Harrison and Executive Power

Benjamin Harrison did not come into office with a planned program of action to increase executive power. He was a member of the generation acquainted with colonial governors, and was elected from and by the General Assembly. As a practicing politician, he appreciated the problems of state from a legislator's viewpoint. He knew the temper of the people, their demands for relief from oppressive measures and economic chaos. He was in sympathy with the legislation passed by the Assembly in the fall of 1781 which was meant to hold tight reins on all governmental expenditures.

It was his exposure to problems of administration that opened his eyes to the reverse coin of individual freedom. He found that liberty unaccompanied by a respect for and obedience to law led to a government so weakened financially and politically that it could not protect adequately its citizens from external enemies or internal injustices. The Governor found that lack of proper power to enforce the laws often left the executive immobile when faced with obvious need. Thus, it was through experience that Harrison developed an appreciation of executive problems.

The Governor's change from a legislative to an executive viewpoint began as early as March, 1782. He wrote General

Greene that all laws giving extraordinary powers to the governor were then extinct, and ". . . I am left to the Constitution which may do in Peace but is by no means adapted to war."¹

Beginning with the spring Assembly in 1782 and continuing through the fall one in 1784, all of Harrison's messages to the legislature included both veiled and open requests for additional executive power. The language he used in many of these communications to the Assembly showed his growing concern for the excessive fear of executive authority.

For example, he urged the Assembly in May, 1782 to clarify the impressment law, urging its necessity in times of emergency, and the need of the people to understand the Executive's right to use it. He said:

The abuse of power is an evil, and to be guarded against, but in the prudent use of it there is safety, nothing salutary or greatly beneficial to the public can be done without it, and the man who cannot be trusted with so much as is necessary to discharge the Duties of his office with honor to himself, and safety, and happiness to the people ought not to be employed.²

¹Harrison to General Nathaniel Greene, March 4, 1782, in H. R. Mollwaine, ed., Official Letters of the Governors of Virginia, 3 vols. (Richmond, 1926-1929), III, 170. Cited hereafter as Official Letters.

²Harrison to the General Assembly, May 6, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

At the same time he urged that the Executive be given controlling power over the Admiralty Court to prevent further "Grand Turk" incidents. (See page 72) Harrison argued that " . . . the people of England are as jealous of the independence of their Courts of Justice as any nation on earth, and yet such a power is left in the hands of the Crown for the reasons above."³ Edmund Randolph agreed with this idea, but felt that it was unconstitutional.⁴ The Assembly turned deaf ears to both this and the impressment plea.

In the fall Assembly of 1782 the Governor protested against the blow given executive prestige by the Assembly's action in creating Commissioners of the Navy answerable only to the legislature.⁵ He pointed out that the act gave the Commissioners the right to draw money from the treasury for building boats, and to correspond with executives of other states concerning war plans. Harrison felt that such powers normally were given to the executive of the state, and that this deposition contrary to custom would " . . . have a tendency to lessen the Executive in the Opinion of our Neighbors."⁶

³Ibid.

⁴Edmund Randolph to James Madison, May 16, 1782, in William T. Hutchinson and William M. E. Rachal, eds., The Papers of James Madison (Chicago, 1962), IV, 248. Cited hereafter as The Papers of Madison.

⁵Harrison to the General Assembly, October 21, 1782, Executive Communications.

⁶Ibid.

The Assembly did not change the system at that time, but at the next session, in the spring of 1783, after preliminary articles of peace had been signed, it did pass a resolution giving the Governor in Council the right to appoint persons to provision, man, and equip the two boats retained by the state to prevent smuggling.⁷

The Governor made the most persistent efforts to improve administration with better executive control of the militia. He repeatedly asked the Assembly for new and improved laws, and for a renewal of the governor's power to send the soldiers out of the state. The fall Assembly in 1784, the last in the Harrison administration, finally passed a bill re-organizing the militia and giving the governor and council many increased powers.⁸ It did not, however, restore the governor's authority to send the troops out of the state.⁹

Another administration problem that demanded the

⁷Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held at the Capitol in the City of Richmond in the County of Henrico on Monday the Fifth Day of May, in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three (Richmond, 1828), 91. All Journals cited hereafter as J. H. D. (month, year).

⁸William Waller Hening, ed., The Statutes at Large: Being A Collection of All the Laws of Virginia, 13 vols. (Richmond, Philadelphia, and New York, 1809-1823), XI, 476-94.

⁹Ibid.

Governor's attention was the executive's relationship with local magistrates. As in colonial days, the justices of the peace continued to hold executive-judicial posts in the counties. They still were appointed for life by the Executive, from recommendations sent by the county court concerned, and after such appointment there was little control from any source. Such independence had brought many abuses, and the governor received numerous complaints of justices who refused to act, and of some whose conduct merited censure.¹⁰

In May, 1783, one such case so incensed the Governor that he went to the Assembly for permission to remove the judge when the Executive Council had insisted court action was the only remedy. The case involved a justice of the peace accused of mismanaging the estate of John Park Custis, step-son of General Washington. According to the plaintiff, Bartholomew Dandridge, when both he and the justice had agreed to arbitrate the matter, the judge had stolen both the bond he had signed agreeing to abide by arbitration and the plaintiff's evidence.¹¹ The Governor, in appealing to the legislature for permission to remove the justice, told

¹⁰Mr. Thornton to Governor Harrison, September 29, 1783, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Papers. Mss. in Virginia State Library. Cited hereafter as Executive Papers.

¹¹Harrison to the General Assembly, May 19, 1783, Executive Communications.

the Assembly that without the superintending power of removing appointed officials, the executive would find it impossible to govern the state or force an obedience to its laws. He felt, also, that recourse to law as proposed by the Council would not answer the foregoing need, because this process was too tedious, and could not be used at all times, since " . . . there are many offences that render a man unfit for the seat of justice for which an indictment will not lie."¹²

In this instance the Governor did not convince the legislature, and he was not allowed to remove the justice.¹³ Perhaps the Assembly felt that Harrison's solution to the problem could have opened the way for excessive executive control of local affairs.¹⁴

The Governor had particular difficulty with county courts and sheriffs in tax matters. The sheriff of the county, who also collected taxes, was appointed by the governor on recommendation of the county court. If the court

¹²Ibid.

¹³A court action against the judge in question, John Price Posey, is included in the folder of Executive Communications for May, 1783. He was found guilty.

¹⁴The ultimate solution to the inactive or dishonest local magistrate was separation of judicial and administrative functions, and local election of local officials. As long as they were appointed by the Executive, Harrison's argument that they should be responsible to the person appointing them had merit, else they were under no control, as was the case at that time.

did not recommend, the governor had no power to appoint, and the county was left without a tax collector. The Governor suspected this action at times was deliberate, involving collusion between court and court clerk.¹⁵ He commented:

Such shameful practices as these I expect will ever take place whilst both the one or the other are altogether without the control of the Executive of the State, or indeed of any other power. Whether Government, weakened as it is by these innovations, can be supported, is not for me in my present situation to say, I shall therefore leave it to the mature deliberations of the Assembly.¹⁶

The Assembly did take action on this complaint, allowing the Governor to appoint a sheriff if the county court did not act within a certain length of time.¹⁷ Although this was the only increase in executive power over local magistrates that Harrison secured, his spotlight on abuses in county courts brought other legislative action designed to correct the problems. A law passed in 1733 provided penalties for county courts which did not divide the county into tax districts, and the act allowed the General Court to proceed against delinquent sheriffs.¹⁸ In the spring session of 1784, the Assembly placed a penalty on justices for failure to nominate a sheriff, and upon the clerk for failure

¹⁵Harrison to the General Assembly, May 3, 1734, Executive Communications.

¹⁶Ibid.

¹⁷Hening, op. cit., XI, 463.

¹⁸Ibid., 290.

to notify the Governor of court action. Penalties were placed on sheriffs for interfering with elections.¹⁹

While the Governor asked for power to remove appointed county magistrates there is no indication that he wished this power for any purpose other than to promote orderly government. At the same time he suggested also that judges of the Superior courts be given more power, be placed in an independent situation, preserved from insult, and armed with authority to enforce obedience to the laws.²⁰ He commented that these judges were a credit to the state, and deserved increased latitude in original jurisdiction.²¹ His philosophy of government is stated in part in his remark concerning the judges, as follows:

. . . tho' I am far from being an advocate for giving powers to any set of Men that may be injurious to the liberty of the people, yet I would on this and every other occasion part with as much as may be necessary for their good government, and the security of their Lives, Liberties, and Property, which blessings can never be more effectually secured²² to them, than by the upright and impartial judge. . . .

Harrison sought to secure power to improve executive administration in one other area, the financial. He found

¹⁹Ibid., 463; 387.

²⁰Harrison to the General Assembly, May 3, 1784, Executive Communications.

²¹Ibid.

²²Ibid.

the restrictions here particularly irksome in relationships with creditors, complaining that for the most obviously just debts he had no resource but the use of unappropriated or over-surplus funds, which were unavailable.²³ He explained his embarrassment when forced to admit to creditors that the Executive had no discretion in money matters except for contingent expenses of government. "True as this declaration is," he said, "Foreigners cannot be made to understand it, and frequently go off prejudiced in the extreme against the candor or perhaps honesty of the Chief Magistrate."²⁴

The Assembly in October, 1784 answered this complaint with a resolution giving the governor and council the discretion to settle individual foreign claims from a sum of thirty thousand pounds appropriated by the Assembly for the purpose.²⁵

The Governor did not receive control over the auditors, the remedy he suggested for the confusion discovered in that office, but the Assembly did appoint a committee to examine the public accounts and prepare a general statement of the public debt. This committee reported to the fall Assembly in 1784.²⁶ Harrison, by focusing attention on a problem,

²³Ibid.

²⁴Ibid.

²⁵J. H. D., October, 1784, op. cit., 108-9.

²⁶Ibid., 85-90.

again had produced action, even though it was not the course he had suggested.

In his message reviewing the problem of the auditors, Harrison revealed the distance he had traveled in his change from legislative to executive viewpoint. He could look backward objectively to the days when the government was instituted, in the exhilaration of independence, and see the influences that brought unwise action. He said:

. . . our minds were so strongly impressed with the force of Monarchical Power . . . that in some measure lost sight of our true situation, and bent our thoughts altogether on the Constitution of Great Britain and the evils that flowed to that nation from that source. Our fears, on this head, occasioned us to run foul of one rock whilst we were avoiding another - these two officers were then retained in the hands of the assembly, and not even a controlling power over them in any instance given to the Executive; the evil tendency of which has been felt on many occasions, but in none more strikingly than in the instance before us; for it cannot be supposed that any Executive could have been so negligent of their Duty as to suffer the public accounts to run into confusion for the want of Clerks, if they had been fully informed of the situation of the office. . . .²⁷

The man who had served in parliamentary bodies during his entire political career had discovered from the governor's chair the lack of balance in the Constitution of 1776, which gave almost exclusive control to the legislative branch of government. He used his influence in attempts to secure

²⁷Harrison to the General Assembly, October 10, 1784, Executive Communications.

enough executive power to improve administration of affairs with other states, in the militia, with local magistrates, and in financial affairs. His outstanding political prestige and the problems under which he labored are evidenced in the legislative action following such recommendations. Corrective action was taken in almost every case, but it seldom included a permanent increase in executive power. The Assembly trusted the man, but not the position of governor.

Separatists in the West

After the basic difficulty of a lack of power, the second major internal political problem that Harrison faced during his administration was the unrest among settlers in the western counties. This was not the first, nor would it be the last sectional dispute in Virginia's history.²⁸ The frontier settlements in any given period had different problems and viewpoints from those of the older communities to the east. In 1676 Nathaniel Bacon, a man from the frontier at that time, had led the revolt against the royal governor and his party in Williamsburg. In the prelude to the Revolution, Patrick Henry, a man from the piedmont, had forced positive action on members of old tidewater families such as Robinson, Randolph, Nicholas, and Blair.²⁹

²⁸"The history of Virginia has been characterized by sectional antagonism." Charles Henry Ambler, Sectionalism in Virginia from 1776 to 1861 (Chicago, 1910), 3.

²⁹Ibid., 5.

In the first half of the nineteenth century, the western counties would fight against entrenched tidewater interests for internal improvements and more equal representation in the General Assembly. In the time of the War Between the States, sectional conflict would become so irreconcilable that a large portion of the state would form a new one, West Virginia.

In 1782, as in the other instances, several factors served as catalysts in the sectional disputes. Land speculators played a major part in the conflict.³⁰ Thomas Jefferson, writing to James Madison in March, 1782, blamed part of the unrest on "some ambitious to be governors."³¹ Grievances of the people against acts of a distant government, and the settlers' fears of disputed land titles were additional causes of the agitation for secession of some counties from Virginia in 1781 to 1784.

One of the men Jefferson may have included in those "ambitious to be governors" was Arthur Campbell, county lieutenant of Washington county, who was a leader in the separatists' schemes in the southwest.³² This Virginian was

³⁰Thomas Perkins Abernethy, Western Lands and the American Revolution (New York, 1937), 242-273, passim.

³¹Thomas Jefferson to James Madison, March 24, 1782, The Papers of Madison, op. cit., IV, 119.

³²Abernethy, op. cit., 257.

a native frontiersman,³³ and leader of his part of the state for many years. He was a member of the House of Delegates for six sessions between 1776 and 1788.³⁴ Two of his letters to the Assembly explain the problem from the point of view of the separatists. In December, 1782 he wrote to the legislature, saying:

Last winter and spring, various and contradictory accounts reached the Southwestern inhabitants respecting the proceedings of Congress on western territory, that gave great uneasiness, and thru the people into a ferment; who at times vented their resentment by blaming their own rulers and those of the United States, being told that a New State was about to be laid off and that they might have to purchase their lands again.³⁵

In October, 1783, Campbell again expressed the settlers' complaints in a strong statement to the Assembly. He listed three major causes of dissatisfaction: first, the acts of the Assembly concerning land office laws, surveyors' and clerks' fees, and old grants; second, the conflicting land claims of the United States and Virginia in the western country; and, third, the inability of the people to pay taxes in money and the impossibility of their delivering commutables to Richmond because of the great distance involved.³⁶

³³The Papers of Madison, op. cit., IV, 126 n.

³⁴Ibid.

³⁵Arthur Campbell to the General Assembly, December 12, 1782, Executive Communications.

³⁶Arthur Campbell, "Facts and Reasons relating to the conduct of the people in the Western Country in their intended application for a separate Government, For the Information of the House of Delegates October session, 1783," Executive Communications.

Col. Campbell then defended the methods that had been used to gain united action by the people, saying representatives from various settlements had met and decided on a course of action, after which petitions were circulated among the people. He concluded:

If people are not a liberty under this Government to meet, converse, and consult, how are the opinions of any part, particularly of the distant parts of the state to deliver sentiments. Surely it will not be said they³⁷ have no RIGHT under the Constitution to do it . . .

Charges against Campbell because of his activities were made in the Assembly, but no action was taken after the complaint was referred to a committee.³⁸ The Governor, whether or not he approved of Campbell's actions,³⁹ lacked the power to act. This was an example of the almost autonomous power of local officials.

In the three counties of the Kentucky country, Jefferson, Lincoln, and Fayette,⁴⁰ additional separatist spirit existed. Two petitions from these counties were presented to the spring Assembly in 1782. They demanded

³⁷Ibid.

³⁸Abernethy, op. cit., 259.

³⁹Abernethy indicates Harrison may have sympathized with the secessionists since he took no action against Campbell, and because George Rogers Clark accused the governor of favoring the separatists. Ibid.

⁴⁰Martha W. Hiden, How Justice Grew. Virginia Counties: An Abstract of Their Formation (Williamsburg, 1957), 42.

better government, and threatened to ask Congress to incorporate Kentucky as a state.⁴¹ In answer to the complaints, the Assembly created a new court of original jurisdiction in the West, and ordered the land office to issue pre-emption warrants.⁴² The Governor wrote citizens in Kentucky that the new surveyor was on his way.⁴³ At the same Assembly, a committee report approved eventual separation of Kentucky from the mother state, but upon the determination of Virginia, not of Congress.⁴⁴

Harrison reported to the fall Assembly in 1782 that settlers in Kentucky had sent a petition to Congress asking for separation, but expressed hopes that the law passed by the Assembly in May would " . . . silence their clamour, and defeat the intentions of their abettors in Philadelphia."⁴⁵

This hope was not realized. A letter to the Governor from Walker Daniel, one of the opponents of secession, explained some of the reasons for the continued agitation.

⁴¹The Papers of Madison, op. cit., IV, 121 n.

⁴²Ibid.

⁴³Harrison to Col. Daniel Boone, Levi Todd, etc., October 14, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbooks. Mss. in Virginia State Library. Cited hereafter as Executive Letterbook.

⁴⁴Abernethy, op. cit., 264.

⁴⁵Harrison to the General Assembly, October 21, 1782, Executive Communications.

Much disturbed, Daniel told of disorders he had encountered when on a trip to the west. He wrote of people believing rumors that Congress had disallowed Virginia's claims to the country northwest of the Alleghenies, and that all grants issued there by the state were void. He pictured settlers selling their valuable land for nothing, moving to other plots, making "improvements," and expecting Congress to confirm their right to be there.⁴⁶

Daniel blamed some of the problem on the delay in publication of Virginia's vindication of her claim to the land. He said that delay led many to think Virginia did not feel her title was strong.⁴⁷ Besides an immediate publication of such a document, Daniel suggested that the Assembly revoke the increased surveyor's fee.⁴⁸

This unresolved question of land titles, a basic cause of the unrest, was compounded by the extended delay in Congressional acceptance of Virginia's cession of her

⁴⁶Walker Daniel to Harrison, October 25, 1783, Executive Communications.

⁴⁷Ibid.; On June 1, 1782, the Assembly had appointed a committee of five to publish a defense of Virginia's claims to the Northwest Territory. The members included Thomas Jefferson, Arthur Lee, Dr. Thomas Walker, and Edmund Randolph. For various reasons, the work fell upon Randolph. He did not finish the document until 1784. The Papers of Madison, op. cit., IV, 306 n.; Abernethy, op. cit., 271.

⁴⁸Walker Daniel to Harrison, October 25, 1783, Executive Communications.

territory northwest of the Ohio River. The state had first voted the cession in January, 1781, with eight conditions.⁴⁹ Most of these were phrased to prevent aggressive land speculating companies from profiteering at the expense of settlers and of soldiers who had been promised western land as bounty for war service. Through intricate political maneuvers the land speculators were successful in delaying Congress' acceptance of the Virginia cession, thus causing the restlessness of uncertainty among the western settlers.

Finally, in September, 1783, Congress accepted six of the eight conditions to Virginia's act of cession.⁵⁰ In December, the state Assembly agreed to the compromise,⁵¹ which secured her basic aims, and the Virginia Delegates completed the transactions in Congress March 1, 1784.⁵²

The Governor wrote Walker Daniel February 27, 1784, commending him for his actions against sedition.⁵³ He told Daniel the issue should be settled as Congress had refused the petition from Kentucky to form a separate government, and had passed a resolution leaving such a decision to the

⁴⁹Hening, Statutes. op. cit., X, 564-7.

⁵⁰Ibid., XI, 567-70.

⁵¹Ibid., 326-7.

⁵²Ibid., 571-5.

⁵³Harrison to Walker Daniel, February 27, 1784, Executive Letterbook.

state involved.⁵⁴ This action by Congress and the completion of the Northwest Cession quieted western concern over land titles. The ultimate solution to the other problems, however, was the formation of the states of Kentucky and Tennessee in 1792 and 1796.

There is little documentation of the part Harrison played in this internal political problem of secession. He continued contacts with Campbell and John Donelson, major instigators of the schemes.⁵⁵ In addition, the Governor's relations with General Clark (a leader against secession)⁵⁶ were strained throughout the major part of his administration. These relations superficially indicate Harrison to be at least passive to the separatists' actions. A more careful analysis leads to other conclusions.

The local positions occupied by Campbell and Donelson left them legally free from any punitive action by the Governor. In addition, since the legislature had considered the matter, any such attempt by him would have been resented by the Assembly as executive encroachment on its powers.

The lack of warmth in the Governor's relationship with Clark was occasioned by the latter's failure to acknowledge

⁵⁴Ibid.

⁵⁵Abernethy, op. cit., 253-266, passim.

⁵⁶Ibid., 262.

executive instructions for extensive periods of time, and by the confused situation of western financial accounts.⁵⁷

Harrison's strict orders against offensive warfare, which the governor felt might be the cause of Clark's continued silence, were given in direct obedience to the Assembly's command.⁵⁸ Harrison himself was not a believer in defensive tactics.⁵⁹

More important, the Governor's known affinity for state's rights would argue against any countenance by him of separation unless it were by state action. A comment by Edmund Randolph about Harrison, " . . . supposing that he sees on every wall the shadow of a dagger uplifted against the back-lands . . ." ⁶⁰ fits Harrison's personality more accurately, and points to his opposition to any secession sentiment.

In this major internal problem of sectionalism,

⁵⁷Harrison to General Clark, October 14, 1782, November 29, 1782, and February 27, 1783, Official Letters, op. cit., 340, 389, 460; Harrison to Clark, March 3, 1783, April 9, 1783, Executive Letterbook.

⁵⁸Harrison to Clark, October 17, 1782, Official Letters, op. cit., 341.

⁵⁹Harrison to Clark, January 13, 1783, Ibid., 428; Harrison to the General Assembly, May 30, 1783, Executive Communications.

⁶⁰Edmund Randolph to James Madison, May 10, 1782, The Papers of James Madison, op. cit., IV, 227.

Harrison had no power to correct the causes of land speculation, ambitious men, Congressional delay in action causing uncertainty over land titles, and settlers' grievances at distant government. The General Assembly and Congress were the only governmental agencies that could act. The Governor's personality, and meager written evidence, indicate he opposed any threat to Virginia's sovereignty over her back lands. It is possible that he, along with many others, envisioned a future separation of Kentucky from Virginia because of the difficulty in governing justly from so great a distance. Almost certainly he would have insisted that such a decision could be made only by Virginia.

Harrison and the Confederation

One of the surprises found in a study of the political problems of the Benjamin Harrison administration was his fairly constant support of the Confederation. Since he came to office on a wave of conservative, parochial public opinion, Harrison would be expected to express this general attitude. In his first months in office the governor did typify the general disenchantment with the Confederation and the widespread feeling that Virginia was unfairly burdened with the war effort. Throughout his administration he placed first interest on Virginia. Even in the first year, however, his actions often contradicted his words, and in his last year, his attitude was much less critical and more appreciative of

Congressional need for more power.

When he assumed office, Harrison had been Speaker of the Assembly that voted to suspend its Act allowing Congress to lay duties on certain goods until other states so voted. He described the feelings of himself as well as the Assembly when he wrote General Greene, saying:

" . . . they [Congress] depend on this State for every Thing; 'tho they know it can only be obtained by force, and when their wants are supplied they even refuse to give us Credit for what they have obtained, but insist on our full quota of Money being paid into their Treasury."⁶¹

In other letters to Greene,⁶² the Virginia Delegates in Congress,⁶³ General Washington,⁶⁴ and the Quartermaster General,⁶⁵ Harrison lamented the woes of Virginia, the inability of the Continental quartermaster⁶⁶ to supply the troops, and the discrimination shown in Congress against Virginia by not using the contract method to supply troops in that state as was done in northern ones.

⁶¹Harrison to General Greene, January 21, 1782, Official Letters, op. cit., III, 133.

⁶²Ibid., 171.

⁶³Harrison to the Virginia Delegates in Congress, February 9, 1782, Ibid., 171.

⁶⁴Harrison to George Washington, February 8, 1782, Ibid., 145.

⁶⁵Reply from the Quartermaster General to Harrison, January 16, 1782, Executive Papers.

⁶⁶During this period the words "Continent" and "Continental" were used to refer to the Confederation and its officials, forces, etc. I have used the words in that contemporary meaning throughout this essay.

Even during this time of severest criticism, however, though the governor complained, he acted to support Greene's southern army and the Continental troops in Virginia. In January, he was urging the Virginia Continentals to move more rapidly, saying in his blunt way, " . . . for God's sake how long will it be before these troops march. Their General is in great want of their assistance and I know of no reason for their detention that ought to weigh with good officers."⁶⁷

Although he reprimanded Col. Armand, commander of Continental cavalry in Charlottesville, for impressment, and urged him to seek support from the Continental quartermaster, the Governor ordered flour from state supplies for Armand's use,⁶⁸ and later made available corn and oats.⁶⁹ When the Commissioner of War, William Davies, asked the Governor whether salt should be sent to the Confederation forces or kept for the state, Harrison noted on the letter that the Continent should be supplied.⁷⁰ In fact, he reported to the

⁶⁷Harrison to Mr. William Ronald, January 23, 1782, Official Letters, op. cit., III, 135.

⁶⁸Harrison to Col. Armand, January 12, 1782, Official Letters, op. cit., 127.

⁶⁹Ibid., January 24, 1782, p. 137.

⁷⁰Notation by Harrison on letter from William Davies, January 1, 1782, Executive Papers.

May Assembly that he had "to go a little outside the law" to provide for the Continental forces in the state, else they would have perished.⁷¹

By the time of this Assembly, his attitude had become a little less antagonistic. Letters from General Washington,⁷² General Greene,⁷³ and the Quartermaster-General,⁷⁴ explaining the Continental point of view, undoubtedly carried weight. Then, too, his major cause for criticism was ended when he could announce to the Assembly that Robert Morris, the Continental Financier, planned to support the Continent's posts in Virginia by contract.⁷⁵ He urged the Assembly to raise more men for General Greene. "If we wish to be at ease at home," he said, appealing to their self-centered interests, "it will be necessary to keep the enemy fully employed at a distance, to do which part of the strength of this Country must be applied as it is certain the States of North and

⁷¹Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁷²Washington to Benjamin Harrison, February 6, 1782, John C. Fitzpatrick, ed., The Writings of George Washington, 39 vols., Bicentennial edition (Washington, 1931-1944), XXIII, 486. Cited hereafter as The Writings of Washington.

⁷³General Greene to Harrison, February 18, 1782, Executive Communications.

⁷⁴Timothy Pickering, Continental Quartermaster General to Harrison, January 16, 1782, Executive Papers.

⁷⁵Harrison to the General Assembly, May 15, 1782, Executive Communications.

South Carolina are too much exhausted. . . ."⁷⁶

Still, at this time he merely delivered letters from Continental officials to the Assembly with no recommendation; and, in fairly strong language showed his disapproval of the agreement made by Robert Morris with British merchants in New York for them to load tobacco from Virginia on British ships.⁷⁷

By the time of the fall Assembly in 1782, when Congress asked for laws to put a stop to illicit trade with the enemy, Harrison heartily recommended it.⁷⁸ At the next session, in May, 1783, he urged the Assembly to pass a law relieving Continental officers of personal legal responsibility for debts they had contracted for the United States. He said:

. . . it must be evident the delay of payment is owing to no fault of theirs, but rather to the non-payment of the Quotas demanded by Congress from the several States . . .⁷⁹

This was decidedly a warmer approach than that he had taken only six months before when he merely reported the

⁷⁶Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁷⁷Harrison to the General Assembly, May 14, 1782, Official Letters, op. cit., 223.

⁷⁸Harrison to the General Assembly, October 21, 1782, Executive Communications.

⁷⁹Harrison to the General Assembly, May 15, 1783, Executive Communications.

request of the Financier for such a law, and recommended that the same type be passed to protect state officers.

Also in May, 1783, Harrison suggested that Virginia's repeal of the duty Act pending unanimous agreement by all states had contributed as much to the loss of public credit as Rhode Island's refusal to vote the five percent duty for discharge of foreign debts.⁸⁰ He referred to letters from the Minister of France and Dr. Benjamin Franklin to support his conclusion, saying he would leave it to the Assembly

. . to apply a remedy, and prop our tottering reputation."⁸¹

A vital factor in Harrison's increasing cooperation with the Confederation undoubtedly was his correspondence with and admiration for General Washington. Two months before he recommended Assembly action on the impost law, he received a forceful letter from Washington, written from Newburgh March 4, 1783.⁸² Washington expressed consternation at Virginia's revoking her approval of the impost law, and condemned Rhode Island for its fears of entrusting Congress with such money. "Congress are in fact, but the People," he said, pointing out that delegates were elected every year

⁸⁰Harrison to the General Assembly, May 6, 1783, Executive Letterbook.

⁸¹Ibid.

⁸²Washington to Harrison, March 4, 1783, The Writings of Washington, op. cit., XXVI, 184-5.

and therefore had small opportunity to form a despotic junta. The General expressed his opinion that the power of Congress rather should be enlarged, and closed with a sentence showing the friendship between the two men. He said:

I shall make no apology for the freedom of these Sentiments. they proceed from an honest heart, alth' they may be the result of erroneous thinking. they will at least prove the sincerity⁸³ of my friendship, as they are altogether undisguised.

From this point on, Harrison's attitude toward the Confederation was more positive. He saw the necessity for establishing the credit of the United States, and for acting in concert on foreign affairs, especially trade. In December, 1783, when it appeared Congress could do nothing effectual concerning trade because all states would not give it the power, Harrison suggested to the General Assembly that the states send representatives to Philadelphia for that purpose only.⁸⁴ When this course was not adopted, he followed the Assembly's instructions to send its Act giving Virginia's consent to Congressional regulation of trade to all the state governors. Harrison urged them to support similar action.⁸⁵

Thus, by the time his second term as governor had

⁸³Ibid.

⁸⁴Harrison to the General Assembly, December 18, 1783, Executive Letterbook.

⁸⁵Harrison to the General Assembly, May 3, 1784, Executive Communications.

ended, Benjamin Harrison's attitude toward the Confederation had changed noticeably. He was thinking more as an executive and less as the legislator who entered office in December, 1781. He saw that " . . . government cannot be supported without lodging powers somewhere to enforce obedience to the law."⁸⁶

This was a lesson he had learned in executive position. In that office he had seen tax and militia returns include numerous delinquent counties which disregarded with impunity laws to supply the state with money and the army with troops.⁸⁷ He had read citizens' petitions begging relief from corrupt or inactive county justices of the peace, and learned that the executive who appointed them had not the right to discipline them.⁸⁸ He had requested state Auditors to pay a bill and been told they were under no obligation to honor the direction of the Executive.⁸⁹

These experiences in a post that had problems but no power could only broaden Harrison's understanding of the

⁸⁶Harrison to Virginia Delegates to Congress, September 26, 1783, Executive Letterbook.

⁸⁷William Davies, "Abstract returns of Militia and of delinquent Counties from Commissioner of War," to General Assembly, November, 1782, Executive Communications.

⁸⁸Laws passed by the Assembly included no such power. See Appendix A.

⁸⁹Harrison to the General Assembly, June 28, 1784, Executive Communications.

difficulties facing Congress, and they go far in explaining his less critical attitude toward that body. Three other events, in addition to Washington's influence, could have contributed to the change.

First, by March of 1783, preliminary articles of peace had been signed, thus easing the military problems of all the states, including Virginia. Second, Virginia finances had improved from the low point of late 1781. And, third, in the fall of 1783 Thomas Jefferson was elected a delegate to Congress and was sending the governor more detailed information of its activities.

Harrison wrote Jefferson December 26, 1783, thanking him for a detailed letter, saying it was what he had needed and not been receiving. " . . . we seem to blunder here more from the want of information than design. . . ." ⁹⁰, he said, adding that he might be able to stop some of the evils if he were in possession of information.

Whatever the reasons, in Harrison's last year and a half as governor, his attitude toward the Confederation changed from peevish criticism and grudging support to a more sympathetic understanding of the Continent's needs. His support of the plan to give Congress control over trade and the income from a five percent impost duty was an important

⁹⁰Harrison to Thomas Jefferson, December 26, 1783, Executive Letterbook.

balance to those in the state who continued to regard the Confederation with suspicion. Since Harrison, himself, always remained a "Virginia First" man, his support of the Confederation was even more valuable, and all the more remarkable.

Harrison and Relations with Other States

Benjamin Harrison's problems with other states during his administration were concerned primarily with possible solutions to mutual difficulties, or compromises of bilateral disagreements. The states involved were those adjacent to and south of Virginia, that is, Maryland, Pennsylvania, North and South Carolina. The governor enjoyed a considerable degree of freedom in his correspondence with other executives, but still was dependent upon the Assembly for policy decisions and any laws necessary to implement proposed plans.

Four examples will illustrate the types of problems the governor encountered. Two of these deal with mutual dangers, and two with conflicting interests.

Virginia shared with Maryland the difficulty of a long, exposed coastline which was vulnerable to enemy attack, and with North and South Carolina the mutual Indian problems in the west. The proposal for joint action came first from the Maryland Assembly, which in May, 1782 suggested joint efforts of the two states to protect the trade of Chesapeake

Bay.⁹¹ Maryland proposed that one large galley and four barges be outfitted, and that the inhabitants of Tangier Island be removed to the mainland to prevent their giving help and information to the enemy.⁹² Harrison sent this letter to the Assembly, with his recommendation for favorable action,⁹³ and the Assembly quickly passed an Act which embodied the proposed plans.⁹⁴ It was at this time, however, that the legislature appointed three commissioners to administer the plan, thus by-passing the governor and Council,⁹⁵ as described in a preceding chapter. Harrison protested this action, with no success.⁹⁶ The administration of the common defense was left to the three officials elected by the Assembly.

At least one observer hoped this instance of cooperation with Maryland would improve general relationships between the two states which had been strained by their different viewpoint on Virginia's western lands. Edmund

⁹¹Maryland Assembly to Governor Harrison, May 10, 1782, Executive Communications.

⁹²Ibid.

⁹³Ibid.

⁹⁴Hening, Statutes, op. cit., XI, 42-43.

⁹⁵Ibid.

⁹⁶See page 37, preceding, in "The Administration: Political Problems. Harrison and Executive Power."

Randolph reported from Richmond to James Madison in Philadelphia that the Act " . . . breathes so much harmony, that something of the virulence respecting western territory ought to be abated on this account."⁹⁷ Such did not prove to be the case, as it was another fifteen months before Congress voted to accept Virginia's cession, with modifications,⁹⁸ and Maryland and New Jersey dissented when the plan was adopted.⁹⁹

The second case of interstate relations involved the complicated issue of Indian affairs. Virginia's relations with the natives on the western frontier were interwoven with those of North and South Carolina. This inter-relationship was demonstrated by events in the fall of 1782. Joseph Martin had opened negotiations with the Cherokees, and had informed the governor that prospects for peace were excellent. Harrison had sent gifts to the Indians, including ammunition, when he received a letter from the Governor of South Carolina telling him of Indian inroads into that state, and the government's plans to march against the Cherokees.¹⁰⁰ Harrison, not wishing to supply Indians

⁹⁷Edmund Randolph to James Madison, June 15, 1782, The Papers of Madison, op. cit., IV, 340.

⁹⁸Hening, Statutes, op. cit., XI, 567-70.

⁹⁹Abernethy, op. cit., 272.

¹⁰⁰Harrison to Col. William Davies, August 8, 1782, Official Letters, op. cit., III, 291.

with powder to use against sister states, countermanded the order for ammunitions,¹⁰¹ and wrote Martin to withhold gifts until he was informed that disputes between the Indians and the Carolinians had been settled.¹⁰² At the same time he instructed the Indian agent to " . . . inculcate an opinion into them [Indians] that the people of America are all one people tho' living in different Governments, and that an Injury done to one State will be resented by the whole . . ."¹⁰³

He did not reply to the governor of South Carolina until October, when Virginia's plans were underway for a conference with the Chickasaw and Creek Indians.¹⁰⁴

Harrison explained at that time that Mr. Matthews' June letter had not reached him until August, at which time it was too late to cooperate with a Carolina expedition against the Indians. He added, however, that Virginia had no complaints against the Cherokees, and had made progress toward establishing a treaty of peace. He urged the South Carolina governor to use all his efforts to join Virginia in that attempt, suggesting the southern states might unite in a general plan to fix land boundaries beyond which the people

¹⁰¹Ibid.

¹⁰²Harrison to Joseph Martin, August 15, 1782, Ibid., 295.

¹⁰³Ibid.

¹⁰⁴Harrison to Governor Matthews, October 15, 1782, Executive Letterbooks.

would not be allowed to settle.¹⁰⁵ Harrison felt this was the source of recurring trouble, saying:

The Honor as well as the Interest seem to call on us for such a regulation, these poor Wretches have their rights, and if we consult our Justice and Humanity, they will be powerful Advocates, for their being supported in them.¹⁰⁶

The governor of Virginia wrote the chief executive of North Carolina at the same time, in similar words, inviting cooperation in an Indian treaty, suggesting a united approach to land affairs by the southern states, and lamenting the greed of the Americans for land.¹⁰⁷ He said:

. . . I confess my feelings are hurt and my Humanity shocked when I reflect on the unbounded thirst of our people after Lands that they can not cultivate, and the Means they use to possess themselves of those that belong to others, an Indian has his natural right as well as a white Man, and the latter having his mind cultivated and enlarged by Civilization or education is called on by every Tie of Humanity & Justice to support them in those rights.¹⁰⁸

There is no evidence to show that these suggestions for cooperation in Indian policy became effective. In fact, Harrison did not recommend such action to the Assembly.¹⁰⁹

¹⁰⁵Ibid.

¹⁰⁶Ibid.

¹⁰⁷Harrison to Governor Martin of North Carolina, October 22, 1782, Ibid.

¹⁰⁸Ibid.

¹⁰⁹Harrison to the General Assembly, Executive Communications, passim.

Perhaps he was realist enough to see his hopes were impossible of realization. At that time, even in matters of obvious mutual interest, cooperation between the states remained meager and extremely limited.

In another example, Harrison himself refused to cooperate with South Carolina in a case of extradition. The chief executive wrote that he, his council, and the attorney general were of the opinion that the case of George Hancock was one of simple assault, and that for the governor to " . . . deliver up the body of a citizen on such grounds and for such an offence without his ever being heard would be betraying the trust reposed in me of governing the state by its laws and supporting the individuals of it in their just rights and liberties."¹¹⁰

Virginia and her neighboring states were more successful in compromising disagreements than they were in cooperating for mutual benefits. The boundary line between Virginia and Pennsylvania had been in dispute since Mason and Dixon had settled the Maryland-Pennsylvania border between 1764-67.¹¹¹ In 1779 the two states had agreed to extend that line, but events of the war and Indian troubles

¹¹⁰Harrison to the Governor of South Carolina, February 16, 1784, Executive Letterbook.

¹¹¹The Papers of Madison, op. cit., IV, 184 n.

prevented the action.¹¹² In early 1782, the Pennsylvania Assembly proposed that a temporary boundary line be run, postponing until peacetime the permanent line that was to be determined by astronomical observations.¹¹³ Harrison agreed to this, but not to the beginning point for the new survey suggested by the governor of Pennsylvania.¹¹⁴ Activities were halted until the Virginia Assembly which met in May agreed to the Pennsylvania position, the western extremity of the Mason Dixon line.¹¹⁵ Harrison, of course, accepted the decision of the Assembly, and appointed Joseph Neville, county-lieutenant of Hampshire, to act as surveyor from Virginia.¹¹⁶ Neville was ordered to take with him one hundred men of his militia as guards to prevent uprisings in the land to be surveyed.¹¹⁷ The people in the disputed area were disturbed by the proposed change, fearing they might lose their lands under a different jurisdiction.¹¹⁸

¹¹²Ibid., 185 n.

¹¹³Harrison to the General Assembly, May 6, 1782, Executive Communications.

¹¹⁴Harrison to President William Moore of Pennsylvania, April 26, 1782; May 24, 1782, Official Letters. op. cit., III, 198, 235.

¹¹⁵Harrison to the President of Pennsylvania, June 29, 1782; Harrison to Col. Joseph Neville, August 7, 1782, Ibid., 261, 291.

¹¹⁶Harrison to Col. Joseph Neville, August 7, 1782, Ibid., 291.

¹¹⁷Ibid.

¹¹⁸Harrison to the General Assembly, November 25, 1782, Ibid., 387.

In November, the Virginia and Pennsylvania Commissioners submitted the following report:

. . . extended Dixons and Masons Line 23 miles to a small poplar in the Forks of Fish Creek and from there a meridian of 61 miles and 236 perches to the Ohio river which intersects the same in the narrows above the upper end of Much Moore's bottom and about two and a half miles from the mouth of Yellow Creek. Signed James Neville, Virginia; Alexander McClean, Pennsylvania.¹¹⁹

The Pennsylvania Assembly approved the line run by Neville and McClean as the temporary boundary,¹²⁰ and Harrison reported the matter to the Virginia Assembly in May, 1782, commenting wryly:

. . . their haste is not much to be wondered at as it puts them into possession of an immense tract of country which their Charter does not give them, and which they are now selling to great advantage.¹²¹

The temporary line caused so much complaint by the people it removed from Virginia to Pennsylvania that plans were made in the fall of the year to run the permanent boundary, " . . . as soon as the proper season shall arrive for making the necessary astronomical observation."¹²² This survey had been completed by May, 1784, when Harrison reported

¹¹⁹Commissioners' report, November 28, 1782, Executive Communications.

¹²⁰John Dickinson to Governor Harrison, March 27, 1783, Executive Communications.

¹²¹Harrison to the General Assembly, May 6, 1783, Executive Communications.

¹²²Harrison to the General Assembly, October 20, 1783, Executive Communications.

to the General Assembly that the settlement of the Pennsylvania boundary line had left Virginia with only a strip of land of the former county of Mohogania. Since this was too small for a county, the governor suggested that it be made a part of Monogalia.¹²³ The Assembly acted beyond the governor's suggestion, but undoubtedly to his pleasure. It added the strip to Mohogania, but then divided that county into two parts, naming the new one Harrison.¹²⁴

Thus, while the question of the Pennsylvania-Virginia boundary had caused conflict for over a decade, within two years after action was again initiated, the states had settled the controversy. This was one of the more successful examples of interstate cooperation at this time.

The dispute with North Carolina involved no such basic issue as a boundary line. The affair flared from the actions of privateers which the North Carolina governor felt insulted the honor of his state. In aroused temper, he proposed action which the governor of Virginia felt would be an insult to his state. Since Governor Burke was angered by individuals, and Governor Harrison sympathized with his viewpoint but not his proposed action, this affair between

¹²³Harrison to the General Assembly, May 3, 1784, Executive Communications.

¹²⁴Hening, Statutes, op. cit., XI, 366-7.

the states was shortly resolved.

The trouble began when the schooner Three Friends¹²⁵ from Charlestown arrived at the Bay of Edenton in North Carolina, and reported to the commanding officer of Chowan county. This official ordered the ship to proceed up the Bay to Edenton where he would meet it, receive the papers and give further orders.¹²⁶ That same afternoon, a privateer The Grand Turk,¹²⁷ sailing under letters of marque from Virginia,¹²⁸ commandeered the schooner, alleging that British merchants were aboard, and ordered her to South Quay in Virginia, to be condemned in the Court of Admiralty there.¹²⁹ Governor Burke was outraged at the action and wrote the governor of Virginia an ambiguous letter, demanding the return of the ship, or, if this were impossible, proposing to send an armed force to secure it.¹³⁰

¹²⁵Randolph B. Campbell, "The Case of the Three Friends, An Incident in Maritime Regulation During the Revolutionary War." Manuscript to be published in The Virginia Magazine of History and Biography.

¹²⁶Letter dated Chowan County, February 21, 1782, no signature, but contents show it to be from the Commanding Officer of Chowan County, Executive Communications.

¹²⁷Campbell, op. cit.

¹²⁸Harrison to the General Assembly, May 6, 1782, Executive Communications.

¹²⁹Ibid.

¹³⁰Ibid.

Harrison wrote to Governor Burke seeking to mollify him, saying:

. . . and I feel with due force, the affront thereby given to the Government of North Carolina, yet as it is the act of a single individual, which neither has been, nor will be countenanced by the Executive, I hope no bad consequence will ensue . . . I hope no hasty Steps will be taken which may in any manner tend to embroil the two States, as it is my earnest wish to be in the most friendly terms with all our Sister States, but more particularly with that of North Carolina. . . .¹³¹

The Governor in Council sent orders to the Court of Admiralty to halt any condemnation proceedings against the Three Friends until further examination could be made into the affair.¹³² Unfortunately, the Court had already acted before the message arrived; the ship had been condemned and sold. This placed the matter outside the executive's hands. Harrison wrote Governor Burke that the constitution forbade the Executive from interfering with judicial matters, so he could not interfere with the court's decision. He did promise, however, to write Congress, urging that body to recall the commission of the privateer and to order a suit against him on his bond.¹³³ In the meantime, the governor

¹³¹Copy of letter, Harrison to Governor Burke, March 9, 1782, Executive Communications.

¹³²Harrison to the General Assembly, May 6, 1782, Executive Communications. (There seemed to be no doubt that the Three Friends was guilty of carrying contraband goods. Campbell, op. cit.

¹³³Copy of letter, Harrison to Governor Burke, March 9, 1782, Executive Communications.

urged Burke not to use force to recover the vessel in question. "You are jealous of the honour of your State when affronted by an individual," he said, " - judge from yourself what must be my feelings and what my Duty if an act of violence should be committed in this by an armed force sent into it from another by public authority. . . ." ¹³⁴ Harrison reminded the North Carolina governor that both states were threatened by the same enemy, and appealed to Burke to maintain friendly relations between the two sister states. ¹³⁵

Governor Burke agreed that the issue was not serious enough to provoke a war between Virginia and North Carolina. He felt, however, that his intentions had been misunderstood. He had not expected Harrison to give satisfaction for the insult to North Carolina, he said. ¹³⁶ He merely had wanted to pursue the individual and recapture the involved vessel without giving insult to Virginia. Since Harrison had interposed the government of the state into the matter, Burke agreed he could not pursue it further without serious consequences. ¹³⁷ There the matter rested.

James Madison, one of Virginia's Delegates to Congress,

¹³⁴Ibid.

¹³⁵Ibid.

¹³⁶Governor Burke of North Carolina to Governor Harrison, March 23, 1782, Executive Communications.

¹³⁷Ibid.

felt that "The anger of Mr. Burke was erroneous in its principle, as well as intemperate in its degree."¹³⁸ Since Congress had issued the letters of marque and reprisal, even though it were through the states, he said, he felt that North Carolina should have resorted to Congress for redress, not to Virginia.¹³⁹

Mr. Burke may have erred in applying to the wrong jurisdiction for redress, and Mr. Harrison may have misunderstood Mr. Burke's intentions. The entire episode was an example of the troublesome problems of jurisdiction and state pride that made Confederation relationships tenuous and unstable.

In this particular case, the Governor in Council handled the problem alone, but reported the actions to the Assembly.

The account of the various problems with other states during the Harrison administration shows in this area a fairly realistic relationship between the executive and legislative branches of government. Harrison conducted correspondence on affairs with other executives, reported his actions to the Assembly, and asked the aid of the legislature only when a change of policy was necessary or laws

¹³⁸James Madison to Edmund Randolph, May 1, 1782, The Papers of Madison, op. cit., IV, 196.

¹³⁹Ibid.

were required to implement proposed plans. His requests for action usually were successful, unless they involved increased executive power.

III. ECONOMIC PROBLEMS

Financial and economic problems were the most immediate and pressing issues of the Harrison administration. These difficulties can be divided into two categories: first, the effort to support the military and civilian dependents of the government in the face of an empty treasury, postponed taxes, and inefficient administrative machinery; and, second, the struggle to satisfy the innumerable creditors accumulated over the war years, who began to clamor for payment, especially after the preliminary peace articles had been signed. The preparation of state accounts for the settlement with the Confederation was an important but lesser problem. The trade of the state was one of Harrison's major economic interests.

"Not a shilling in the treasury"--this favorite phrase of the new governor in his early days as chief executive might be considered the keynote of the emergency phase of the first economic problem of his administration, lack of funds. The supreme effort made in the fall to defeat the British at Yorktown had completed the ruin of the treasury, which had been tottering under the circumstances of accumulated war debts, paper money inflation, and delinquent taxpayers.

With the taxes postponed until April and the Executive

with little emergency power, the treasury was still empty while distress calls mounted from General Greene and his southern army, the military and civil personnel in Virginia.

Pleading for speedy reinforcements, General Greene wrote Col. William Davies, Commissioner of War, in December, 1781, saying:

. . . For God's Sake, my Dear Sir, give no sleep to your eyes or slumber to your eye lids 'till you get the troops on the march. . . . If Virginia does not exert herself for our aid, we are inevitably ruined. . . .

Even before receiving such an urgent message, Col. Davies had been struggling with the problems of recruiting soldiers. This was a financial problem at this point because men in many counties refused to leave unless they received their bounty. Davies wrote the Governor, asking for instructions, explaining that insufficient money for bounties had been raised in the counties, the Treasury had told him none was to be had there, and even if there were, he said:

. . . The present state of the money makes it almost useless that the drafts should be now made on the Treasury, nor will the men receive it, as they say with justice, that it was not their fault that the bounty² was not received while it was worth something. . . .

In addition to money for recruits, the governor

¹William P. Palmer, Sherwin McRae, and H. W. Flournoy, eds., Calendar of Virginia State Papers, 11 vols. (Richmond, 1885-1893), II, 674. Cited hereafter as Calendar of State Papers.

²Ibid., 665.

needed funds to provide necessities for those men already in the service. The condition among the Western troops was described by a Captain Robert Todd, Clark's Regiment, in a letter to the governor dated December 11, 1781. He said:

Many of them have been in the service for two years past & have never received a shoe, stockings or hat, & none of them any pay . . .³

Colonel Christopher Febiger wrote of citizens' reclaiming carpentry tools lent to build barracks because they feared the smallpox that had broken out among the troops. He found the conditions of the soldiers ". . . so naked, dirty and miserable, that common humanity bids me, and I must issue what I have and wait until you can supply me with the Remainder . . ."⁴

During January and February the governor received innumerable requests for supplies, such as that from a Major Forsythe for salt and rum, from Ensign Strother for clothes and shoes, and from Capt. C. Jones reporting no halters, bridles, or forage for the horses.⁵

³Ibid., 651.

⁴Ibid., 635.

⁵Major Forsythe to William Davies, Commissioner of War, January, 1782; Ensign Strother to William Davies, January 2, 1782; Capt. C. Jones, of Baylor's Regiment, to William Davies, January, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Papers. Mss. in Virginia State Library. Cited hereafter as Executive Papers.

It was not only the soldiers who suffered. The Corps of Artificers, established to provide clothing and equipment for the soldiers, and dependent also on state support, were described as follows:

. . . so destitute of clothing that they have suffered exceedingly and have, several of them . . . already deserted. What makes their Situation still worse, is that at present, the State is wholly unable to pay them one farthing of money . . .⁶

The Commissary of Stores, William Armistead, found himself forced to write the governor December 5th, asking for help. He said:

. . . the time is at length arrived when our paper currency will not purchase a single necessary of life & I am sufficiently acquainted with the public funds not even to ask for the Tobacco at present w^hch is due mo. . . .⁷

He requested that the governor order the quartermaster to furnish him wood and forage, for which he would keep a strict accounting.

The governor's answer to these emergency financial problems was two-fold, the first based on persuasion, the second on force. To raise the bounty necessary for enlistment of men in the army, Harrison proposed to anticipate the revenue of the state. Writing the county-lieutenants, he asked that they call on the people to advance part of the

⁶Calendar of State Papers, op. cit., II, 644.

⁷Ibid., 640.

land tax due later in the year, for which they would receive credit with the sheriff of the county. This money the county-lieutenant could use for bounties.⁸

To support state troops, and those of the Continent in the state, the governor ordered that "specifics" on hand in counties where troops were stationed be used for their support.⁹ These commodity taxes, payable in wheat, corn, oats, and other grains, could be used to sustain men and horses. He also called on certain counties for the bacon tax¹⁰ for the support of such essential purposes as the Post at Richmond and at Point of Fork, and the artificers at Fredericksburg.¹¹

Another method Harrison used to raise money and supplies was to urge the people to extend goods or services on the credit of the state, promising that the notes would

⁸Harrison to County-lieutenants, February 28, 1782, H. R. McIlwaine, ed., Official Letters of the Governors of the State of Virginia, 3 vols. (Richmond, 1926-1929), III, 155-7. Cited hereafter as Official Letters.

⁹Harrison to Col. William Davies, April 6, 1782; Harrison to Col. Armand, April 13, 1782, Ibid., 191, 196.

¹⁰Among other taxes, the fall Assembly in 1781 levied a poll tax of two pounds of bacon on each free person over twenty-one and each slave over sixteen. (William Waller Hening, ed., Statutes at Large, Being a Collection of All the Laws of Virginia, 13 vols. Richmond, Philadelphia, and New York, 1809-1823, X, 490. Cited hereafter as Hening, Statutes.)

¹¹Harrison to the Courts of Hanover, Henrico, New Kent, Chesterfield, Dinwiddie and Prince George, February 18, 1782, Official Letters, op. cit., III, 151.

be honored as soon as the taxes filled the treasury.¹²

When voluntary support was not forthcoming, in extreme necessity, the governor issued warrants for impressment.¹³ This he was reluctant to do, continually cautioning subordinates to use it only as a last resort,¹⁴ and severely criticizing Colonel Armand of the Continental Corps at Charlottesville for making such free use of this oppressive method.¹⁵ Harrison's sensitivity to this system stemmed from his knowledge of the peoples' bitter resentment of the procedure, used extensively before the battle of Yorktown. An Assembly Act passed in November left some doubts of the legality of impressment,¹⁶ but Harrison did use the method on rare occasions.

As the year progressed, the governor searched for additional ways to improve the state's financial position. The contract method was adopted for feeding state troops and artificers.¹⁷ Prudent discharge of staff and officers, and

¹²Harrison to Col. John Smith, January 10, 1782, ibid., 124.

¹³Ibid.

¹⁴Ibid.

¹⁵Harrison to Col. Armand, January 3, 1782, ibid., 120.

¹⁶Harrison to the General Assembly, May 6, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

¹⁷Harrison to the General Assembly, October 21, 1782, Executive Communications.

the combination of army units helped reduce military expenses.¹⁸ When the Commercial Agent resigned, the Executive did not replace him, but handled his duties directly, through a clerk.¹⁹

To prevent the waste of commodities from that tax, the counties were arranged into districts, with a commissioner appointed for each to collect all goods held in his area.²⁰

Sufficient bounty money for Continental recruits was produced by an Assembly Act passed in May, 1782 in response to the Governor's plea for means to implement the November bill to recruit three thousand men.²¹ The May bill provided that within ten days of notice, the county-lieutenant of each county should call a meeting of field officers, and within ten days this group should divide the county into districts, with each district to supply one recruit for every fifteen militia in it. If such recruits had not been obtained within twenty days, the district must pay a fine of one-eighth its taxes, to be used for bounties. The law

¹⁸Harrison to the General Assembly, May 6, 1782, Executive Communications.

¹⁹Harrison to the General Assembly, October 21, 1782, Executive Communications.

²⁰Harrison to the General Assembly, November 19, 1782, Executive Communications.

²¹Harrison to the General Assembly, October 21, 1782, Executive Communications.

provided for a one-hundred pound fine for the county-lieutenant if he did not act.²²

By the end of Harrison's first year in office, the note of desperate urgency in financial matters was gone. He admitted "a very considerable sum of money" had been raised for recruiting troops.²³ A return, dated July 1, 1782, of specifics on hand in twenty-two counties shows a total of 9,514 bushels of corn, 3,127 bushels of wheat, 3,609 bushels of oats, 224 bushels of rye, 5 bushels of barley, and 17,539 pounds of bacon.²⁴

In September, David Ross in Petersburg wrote the governor that a supply of clothing for fifteen hundred to two thousand troops had arrived.²⁵ A report made by the Solicitor's Officer, S. Woode, showed a total tax collection in 1782 of 135,499 pounds, including money and commutables.²⁶

Thus, the Treasury at the end of Harrison's first year as governor was no longer empty, and immediate contingences could be met with less embarrassment. The emergency problem

²²Hening, Statutes, op. cit., XI, 14-20.

²³Harrison to General Washington, October 25, 1782, Official Letters, op. cit., III, 358.

²⁴"Return of Specifics on hand in certain counties, July 1, 1782," Executive Communications.

²⁵David Ross to Governor Harrison, September 17, 1782, Executive Papers.

²⁶Solicitor's Officer, S. Woode, "Report of 1782 Taxes, May 10, 1783," Executive Communications.

was ended.

Throughout the remaining two years, however, lack of adequate state income continued to plague the governor. For example, in January, 1783, the treasurer, Jacquelin Ambler, wrote the governor that he could not pay the bill of Mr. Irvine of Philadelphia as requested because of orders from the General Assembly for the Continental Receiver, payments due to individuals, and claims of officers of the government and holders of civil list warrants. He explained:

To answer these great Claims we have only in Tobacco to the amount of four or five thousand pounds. . . . The Executive will from hence easily determine that mine is far from an enviable situation.²⁷

In May, 1784, Harrison complained of his inability to satisfy even a creditor whose accounts had been settled, since they were to be paid only from unappropriated or overplus money, of which there would be none ". . . in time for his wants or to save the Executive from his eternal solicitations . . ."²⁸

The reasons for the continued lack of funds after peace was established and trade resumed were the same problems of the Assembly's shifting tax policies, and the poorly-supervised method of tax collection. As in the earlier years,

²⁷Jacquelin Ambler to Governor Harrison, January, 1783, Executive Papers.

²⁸Harrison to the General Assembly, May 5, 1784, Executive Communications.

throughout the Harrison administration the Assembly alternated between heavy taxation and lenient enforcement.

There was some sentiment in the spring Assembly of 1782 for repealing the tax law of the previous session and returning to paper money, but the influence of Arther and Richard Henry Lee prevailed and the hard money policy was retained.²⁹ Patrick Henry did succeed in his effort to postpone the taxes, however.³⁰

The spring Assembly in 1783 provided that no distress sales for taxes should be made until November.³¹ The fall session gave the taxpayers until February 1st to pay, and commuted one-half the taxes.³² After this action, the governor expressed his dismay to the Delegates in Congress, saying, "I fear this fluctuation in our Councils will be attended with the worse of consequences, our credit was low before and this will probably totally destroy it."³³

²⁹Edmund Randolph to James Madison, May 10, 1782; Arthur Lee to James Madison, May 24, 1782, in William T. Hutchinson and William M. E. Rachal, eds., The Papers of James Madison (Chicago, 1962-), IV, 225, 271. Cited hereafter as The Papers of Madison.

³⁰Edmund Randolph to James Madison, May 21, 1782; June 1, 1782, The Papers of Madison, op. cit., 265, 306.

³¹Hening, Statutes, op. cit., 215, 194.

³²Harrison to the Virginia Delegates in Congress, December 5, 1783, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbook. Mss. in Virginia State Library. Cited hereafter as Executive Letterbook.

³³Ibid.

Benjamin Harrison complained, too, of the failure of county tax commissioners to settle accounts.³⁴ The involved tax collection method, developed to prevent injustices to taxpayers, had resulted in injustice to the state. Taxes were levied by the Assembly, and copies of the laws sent to the counties by the governor.³⁵ The three tax commissioners, elected by the county, appointed assessors, and the former levied the taxes imposed by the Assembly according to the latter's assessment. The sheriff of the county collected the taxes, recorded his account with the commissioners, who sent a copy to the state auditors.³⁶ The sheriff verified his account with the auditors, and paid the state treasurer.

The governor had difficulty with the failure of county courts to recommend men to the executive for appointment as sheriff, (see page 41), thus halting the tax collection process. In May, 1784, he complained again of the difficulty of collecting public funds, saying District Commissioners appointed two years before to collect commodity taxes, (see page 83), ". . . like the herd that has gone before them, are become defaulters and nothing but a

³⁴Harrison to the General Assembly, May 15, 1783, Executive Communications.

³⁵Harrison to the General Assembly, May 6, 1783, Executive Letterbook.

³⁶Hening, Statutes, op. cit., IX, 361.

Legislative interposition can bring them to a speedy and proper settlement."³⁷ He expressed fear that fines often were not reported by clerks, so that sheriffs thus did not have to collect them, ". . . and they, we too well know, pay nothing they can avoide."³⁸

Such problems of organization and administration made the governor's financial responsibilities a frustrating experience throughout his three year terms. This was true especially because he realized the need for accurate records to present Virginia's best case in the settlement with the Confederation.

This prolonged process that resulted ultimately in national assumption of states' debts under the new Constitution began at this time. Robert Morris, the Financier of the Confederation, had requested Virginia to prepare her account of sums expended for the Continent,³⁹ and in March, 1782 the Council appointed Thomas Smith to do so.⁴⁰ The governor reported to the spring Assembly in May, 1782 that

³⁷Harrison to the General Assembly, May 3, 1784, Executive Communications.

³⁸Ibid.

³⁹Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁴⁰Wilmer L. Hall, ed., Journals of the Council of the State of Virginia, 3 vols. (Richmond, 1952), III, 62. Cited hereafter as Council Journals.

the Continent would determine a method for reconciling state accounts, and would appoint an agent to settle with each state.⁴¹ In June he wrote the Financier approving of the appointment of Zephaniah Turner as the Continental agent.⁴² In September, 1783, the Solicitor of the state was instructed by the Council to handle the accounts settlement with the Commissioners from the United States present for that purpose.⁴³ Throughout his first two years the governor repeatedly cautioned officials to secure certificates for all goods furnished the Continental forces in anticipation of this reconciliation, so that Virginia might not lose credit for goods furnished.⁴⁴

Another pressing financial dilemma during the Harrison administration was the tremendous war debt accumulated over the past seven years. This replaced current expenditures as the governor's chief financial problem in his last two years as chief executive. The issue involved both local and foreign creditors.

⁴¹Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁴²Harrison to Robert Morris, June 22, 1782, Official Letters, op. cit., III, 253.

⁴³Harrison and Council to the General Assembly, September 30, 1783, Executive Communications.

⁴⁴Harrison to the Commanding officer of Frederick County, August 21, 1782, Official Letters, op. cit., III, 302 and passim.

Of the local debts, those connected with the western expedition of General Clark caused the most problems. The tremendous amounts being presented for payment from those sources caused governmental suspicion of impositions, and the spring Assembly in 1781 resolved that the Executive should appoint Commissioners to travel to the western country, there examine all claims, and be empowered to settle them.⁴⁵ The search for men to undertake this responsibility had begun before Harrison was elected, but was completed under him, and he issued their instructions in January, 1782 to Col. William Fleming, Thomas Marshall, Samuel McDowell, Daniel Smith, and Granville Smith.⁴⁶ These men accomplished their task to the satisfaction of the governor, as he told the Assembly in May, 1783 that their report had fully answered the expectations of the Executive, and would result in immense savings to the state ". . . as great abuses have been discovered and frauds detected that could not have been known in any other way, and it is a misfortune that any of the Accounts had ever been settled here."⁴⁷

⁴⁵David Jameson to the General Assembly, November 26, 1781, in Thomas Nelson, Governor of Virginia, June to November, 1781, Executive Communications. Mss. in Virginia State Library.

⁴⁶Harrison, "Powers and Instructions to the Commissioners Appointed in the Western Country, January 29, 1782, Official Letters. op. cit., III, 140-1.

⁴⁷Harrison to the General Assembly, May 6, 1783, Executive Letterbook.

The year 1783 and the end of the war brought foreign creditors looking for payment. The account of P. Penet from France proved particularly vexing, as M. Penet's creditors claimed the Virginia payment for the goods they had furnished him for the state.⁴⁸ Harrison urged the Assembly to make some payments on foreign loans to maintain the credit of the state. He told of remarks made by the French minister indicating he felt Virginia favored domestic creditors. The governor had assured the minister this was not so, and wished the Assembly to confirm it by payments, because ". . . the loss of public credit is one of the severest blows that can be given to a nation, even when confined within its own limits, but it is doubly felt when it extends to foreign nations."⁴⁹

Various cases with creditors such as those of Oliver Pollock, the New Orleans merchant,⁵⁰ and Simon Nathan, the speculator,⁵¹ were under consideration during Harrison's entire administration. Even when a debt was accepted as

⁴⁸Harrison to the General Assembly, October 20, 1783, Executive Communications.

⁴⁹Ibid.

⁵⁰Official Letters, op. cit., III, 9 n.

⁵¹Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held at the Capitol in the City of Richmond, in the County of Henrico, on Monday the Fifth Day of May, in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three (Richmond, 1828), 71-75; 82. All Journals cited hereafter as J. H. D., (month, year).

authentic the question of depreciation arose. For example, as late as the fall Assembly in 1784 the governor reminded the legislature that it must decide if the Pollock account was to be paid according to tenor, or at depreciation. This request was made so that aid could be given to Mrs. Pollock, whose distressed estate had caused a Delegate to Congress to write the governor in her behalf.⁵²

Such protracted action took much of Harrison's time, and particularly frustrated him because he lacked power to act, but, as chief executive, was the object of the importunate demands of many creditors.

While problems with debts and government expenses consumed much of the governor's time, his major economic interest was trade. He realized the importance of maritime power for Virginia as an agricultural society dependent upon exporting her staples and importing her manufactured goods. While the war continued he urged that steps be taken for the defense of her coast and her trade.⁵³ When peace came, he fought for united action by the states to secure a favorable trade treaty with Britain, believing the Congress should have the power to regulate trade.⁵⁴ He hailed the trade treaty

⁵²Harrison to the General Assembly, October 10, 1784, Executive Communications.

⁵³Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁵⁴Harrison to the General Assembly, May 3, 1784, Executive Communications.

negotiated by John Adams with the Netherlands.⁵⁵ He urged the Assembly to study all the trade laws and revise them in view of the changed circumstances.⁵⁶ He suggested an improvement of administrative control over customs officials, and urged protection of foreign ministers in Virginia as an urgent necessity for her role as a trading nation.⁵⁷ He approved giving Congress the five percent impost, saying:

Nothing else but that will save us from very great distress, for tho' I am satisfied all duties in the end come out of the pockets of the consumers, yet the people at large do not see it and are therefore much better contented to pay money that way than in taxes on their land and other property.⁵⁸

Much of the early Harrison family fortune had been made through trade,⁵⁹ and though this son lacked the personal economic abilities of some of his ancestors, he did recognize the importance of trade to the financial security of Virginia.

In spite of continued shortages in the treasury, demands by creditors, and problems in tax collections, the over-all financial picture had improved by the end of Harrison's third term. The Treasurer's report for the year

⁵⁵Harrison to the General Assembly, May 6, 1783, Executive Letterbook.

⁵⁶*Ibid.*; Harrison to the General Assembly, October 10, 1784, Executive Communications.

⁵⁷Harrison to the General Assembly, October 10, 1784, Executive Communications.

⁵⁸Harrison to Thomas Jefferson, April 23, 1784, Executive Letterbook.

⁵⁹Clifford Dowdy, The Great Plantation (New York, 1957), 103-4.

from December, 1783 to December, 1784 showed a positive balance of 22,542 pounds between the 409,229 pounds received and the 386,687 spent.⁶⁰ This surplus was minute when compared with war debts coming due, of course. In fact, the treasurer reported that it would not be sufficient to meet the grants promised to the soldiers and officers for January 1, 1785.⁶¹

More important in the general situation than the small surplus, however, was the progress that had been made in bringing order to the chaotic financial conditions of the previous years. By November, 1784, a committee appointed by the Assembly to investigate fiscal matters could report a total state debt of 4,231,283 pounds, carrying an annual interest of 207,700 pounds. It gave a projected total need for the next year of 435,118 pounds, predicting a deficit of 141,389 pounds.⁶² This report stood in marked contrast to conditions in November, 1782, when records were so confused that no comprehensive report was possible.⁶³ The

⁶⁰J. H. D., November, 1784, op. cit., 93-94. (A copy of the report included in the Journal will be found in Appendix O .)

⁶¹Jacquelin Ambler to the General Assembly, November 22, 1784, Executive Communications.

⁶²J. H. D., November, 1784, op. cit., 85-90. (A copy of this report will be found in Appendix B.)

⁶³J. H. D., November, 1782, op. cit., 20.

Treasury's reply in December of that year to the governor's request for accounts had read as follows:

As there have been no distinct Accounts kept in this Office of monies lent the State, it will take some time to make out the list you desire. Monies have been lent at sundry times and by divers persons from 1777 to 1781.⁶⁴

In addition to the improvement in bookkeeping practices since that time, the total income had risen also, from 135,499 pounds in 1782 to 409,229 in 1784.⁶⁵ In addition, another report covering imports and exports from April, 1783 to April, 1784, showed a most favorable balance of trade had been re-established with the close of the war. Imports were valued at 43,781 pounds, while exports amounted to 146,210.⁶⁶

Besides enriching the people, the revitalized trade increased public funds. The treasurer reported that the state received 21,315 pounds from customs during the period from December, 1783 to December, 1784.⁶⁷ The financial situation in November, 1784 had changed dramatically from the low point of November, 1781.

⁶⁴Treasury office to Governor Harrison, December 11, 1782, Executive Communications.

⁶⁵Solicitor's Officer, S. Woode, "Report of 1782 Taxes", May 10, 1783, Executive Communications; Treasurer's report to the General Assembly, November, 1784, J. H. D., November, 1784, op. cit., 93-94.

⁶⁶Unsigned report titled "Exports and Imports, April 10, 1783 to April 10, 1784," Executive Papers.

⁶⁷Treasurer's report to the General Assembly, J. H. D., November, 1784, op. cit., 93.

Although the end of the war, a condition over which he had no control, accounted for much of the improved financial picture at the end of his term, Harrison's policies were conducive to the same end. During the first year of acute financial distress while he searched for means to meet emergencies he continually urged his subordinates to practice economy and to keep careful records. When creditors of the state demanded payment he wanted careful investigation of claims, but suggested prompt part-payment to maintain the state's credit, especially with foreigners. He promoted trade, favoring cooperation with Congress, new laws, and other methods designed to increase Virginia's commerce. Throughout his administration, Harrison worked to make financial stability and fiscal integrity the policy for the state of Virginia.

IV. MILITARY PROBLEMS

The basic military problem of the Harrison administration was the disorder which existed in the military establishment itself. This weakness resulted from poor administrative machinery in the commissariat and the lack of decisive executive authority in many areas. The governor, while he exercised the broadest of his limited powers in this field, was confronted by militia laws favoring local sentiment, by economic difficulties, and by policy control by the Assembly that made effective action difficult.

Throughout his administration, however, at the same time that Harrison dealt with such immediate concerns as illicit trade, peace overtures from western Indians, and demobilization after the peace treaty, he worked to strengthen the military establishment and the general defense of the state.

The forces whose effectiveness concerned the governor were the state militia, the regular state forces, and the Virginia Line in the Continental Army. He had direct control over the first two while his duties to the latter were limited to recruitment and supply. Harrison worked to improve the condition of all three divisions.

The state militia engaged the governor's special attention. He had been county-lieutenant from Charles City

county for years¹ and knew this citizen force from local experience. The Governor in Council could call the militia into action, direct its movements, and collect arms and ammunition,² but his orders were executed through the county-lieutenants, who, like the sheriffs, were appointed on recommendation of the county courts.³ This local influence weakened executive control over officers and prevented a strengthening of the militia through impartial selection of efficient men to lead it. The system of broad local control was based to a certain extent on the physical limitations that communication and transportation difficulties imposed on central power. War experience had shown the inefficiency of the method, and Harrison repeatedly asked the Assembly to improve and strengthen the laws regulating the militia,⁴ saying, ". . . weakness invites invasion and insults whilst

¹William Davies, "Abstract of Men Raised Under the Former Laws Passed for Raising Soldiers for the Continental Service - November 1782," in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Communications. Mss. in Virginia State Library. Cited hereafter as Executive Communications.

²William Waller Hening, ed., The Statutes at Large: Being A Collection of All the Laws of Virginia, 13 vols. (London, Philadelphia, and New York, 1809-1823), IX, 49-53. Cited hereafter as Hening, Statutes.

³Francis Newton Thorpe, The Federal and State Constitutions, 7 vols. (Washington, 1909), VII, 3817.

⁴Harrison to the General Assembly, May 6, 1782; October 20, 1783; May 3, 1783; October 18, 1784, Executive Communications.

a well prepared nation seldom meets with either."⁵

The regular state troops also were under the control of the Governor in Council, and Harrison acted here to unify and to strengthen the corps. One of his first acts as governor was to consolidate four different units of the state regulars into a Legionary Corps of two hundred and fifty men under Lt.-Col. Charles Dabney;⁶ it was the duty of this Corps to guard Virginia's extensive coast, to help garrison Yorktown after the French left, and to carry out such orders as the governor might give concerning flag ships, British merchants, and disaffected persons.⁷ The regular troops in the west were under the command of General George Rogers Clark.⁸ These were responsible for protecting the frontier settlements from invasion by British and Indian forces.

The governor had no control over Continental forces, who were at that time under General John Peter Gabriel Muhlenberg in Virginia.⁹ The chief executive did serve as a

⁵Harrison to the General Assembly, October 20, 1783, Ibid.

⁶The Virginia Gazette or American Advertiser (James Hayes), January 26, 1782. Microfilm copy in The Virginia Historical Society, Richmond, Virginia. Cited hereafter as The Virginia Gazette.

⁷H. R. McIlwaine, ed., Official Letters of the Governors of the State of Virginia, 3 vols. (Richmond, 1926-1929), III, 269, 298, 330, 365. Cited hereafter as Official Letters.

⁸Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁹Harrison to Col. John Gibson, May 22, 1782, Official Letters, op. cit., III, 231-2.

point of contact between state and Continent, and with the disordered condition of the central quartermaster corps the governor became the mainstay of Continental troops in his state on many occasions.¹⁰ In addition, it was Harrison's job to enforce the act passed by the General Assembly for recruiting three thousand men for the Virginia Line in the Continental Army. His major military efforts for the Confederation forces were directed to that activity.

The attempts of the Harrison administration to improve the administration of all these systems are evidenced in the numerous reports sent to the General Assembly showing the condition in various parts of the military establishment. William Davies, the Commissioner of War, was directly responsible for most of these compilations. Before Harrison became governor, Davies submitted an extensive report to the Assembly on November 26, 1781, ". . . intended to comprehend the whole strength of the militia."¹¹ In November, 1782, he presented a report by counties of the men raised for the Continental army during the war,¹² and an abstract of

¹⁰See Harrison-Armand letters in Official Letters, op. cit.

¹¹Report from the War Office to the General Assembly, November 26, 1781, in Thomas Nelson, Governor of Virginia, June to November, 1781, Executive Communications. Mss. in Virginia State Library.

¹²William Davies, "Abstract of Men Raised Under the Former Laws Passed for Raising Soldiers for the Continental Service - November 1782," Executive Communications.

militia returns.¹³ In March, 1782 the Executive sent to the General Assembly a report by Davies on the condition of ordnance and military stores,¹⁴ and in the spring of 1784 the legislature received more reports, including a return of the arms and ammunitions held by the militia from October, 1782 to May, 1784, one for military stores from February to April, 1784, and a list of the money due from recruiting officers.¹⁵ The decision to make Point of Fork the grand repository of military stores and the center for their repair was another advance in administrative efficiency.¹⁶

¹³There were totals from 76 counties, 5 of which made no returns for the entire period (1776-1782). The number of militia in the counties varied from 75 in Monongalia to 1388 in Culpeper. The average appeared to be between 500 to 800 men. There were no totals drawn. William Davies, "Abstract returns of Militia and of delinquent Counties from Commissioner of War," November, 1782, Executive Communications.

¹⁴William Davies, "A General Return of Ordnance and Military Stores Belonging to the State of Virginia March 1, 1782," Executive Communications.

¹⁵"General Return of Arms and Ammunition in the hands of the militia from October 1782 to May 1784"; "General Return of military stores under the direction of Capt. John Peyton, Commissioner of Military Stores for Virginia from February, 1784 to April 30, 1784"; and, "List of Balances due from the Recruiting Officers under the Act of Assembly passed May 1782," Executive Communications.

¹⁶"An Appointment as general superintendent of Military Stores, Arms, Ammunition," in Council, February 6, 1783, Executive Communications. (This document contained the statement that Point of Fork would be the grand repository of military stores.)

The particular military problems with which Harrison contended were more related to peace than to war. Several of his difficulties resulted from the victory at Yorktown, others came in efforts to achieve peace with the Indians in the west, and some involved demobilization in the east after the treaty of peace with Great Britain had been signed.

One of the first of the Yorktown problems were the grievances of local citizens because of the destruction of their property by both French and American armies. The Executive solved that problem efficiently by appointing one man, Dudley Digges, to assist the French and to record all claims against the American army.¹⁷

Then, in June, 1782, Harrison was called upon to garrison Yorktown when the French evacuated it. His immediate and forceful instructions showed his military acumen; and illustrated the governor's relative freedom in such affairs. He dispatched part of Dabney's Legion to Yorktown, called for four hundred militia to join it, and ordered the adjacent counties to hold six hundred more militia in constant readiness to march if necessary.¹⁸ He requested General Edward Stevens, as an officer ". . . of distinction & merit. . . .", to take command of the town,¹⁹ and appointed William

¹⁷Harrison to Dudley Digges, December 4, 1781; January 8, 1782, Official Letters, op. cit., III, 104, 122.

¹⁸Harrison to Count Rochambeau, June 26, 1782, Ibid., 257.

¹⁹Harrison to General Edward Stevens, June 25, 1782, Ibid., 254.

Robertson to supply the troops.²⁰ These preparations proved to be largely in vain as later Continental orders called for the destruction of the fortifications, thus removing the necessity for large numbers of state militia to guard them.²¹

Prisoners-of-war were a particularly troublesome problem left from the victory at Yorktown. Disorganized conditions resulted in some wandering the country, unconfined,²² while others were employed by inhabitants.²³ The governor repeatedly ordered county-lieutenants to collect all such prisoners and to send them to Fredericksburg. This tedious process required militia for guards,²⁴ wagons for the sick and wounded,²⁵ in addition to provisions for guards and prisoners. Later in Harrison's term, the exchange of prisoners

²⁰Harrison to William Robertson, June 25, 1782, ibid., 255.

²¹Harrison to George Washington, August 1, 1782, ibid., 287.

²²Harrison to County-lieutenant of Hanover, December 11, 1781, ibid., 109.

²³Harrison to County-lieutenant of Gloucester, December 11, 1781, ibid., 108.

²⁴Harrison to County-lieutenant of Frederick, January 9, 1782, ibid., 123.

²⁵Harrison to County-lieutenants of King William and King and Queen, January 8, 1782, ibid., 122-3.

caused more difficulties.²⁶

The activities of British merchants and the entry of clandestine commerce and illegal passengers from Flags of truce required much attention during the year the war continued. Harrison feared loss of precious specie to the British Yorktown merchants who had been allowed to remain for a short time to settle accounts.²⁷ He felt the Flags of truce served as intelligence agents,²⁸ and that both these and the British merchants were means by which English sympathizers could influence American citizens.²⁹ Also, any trade between Virginia and Britain reduced by that much the economic pressure America could exert on British commercial interests. In order to prevent these undesirable eventualities, in May, 1782, the Council appointed two men, William Mitchell for the York River, and Commodore James Barron for Hampton Road and James River, to whom all Flags must report for inspection and instructions.³⁰ Commodore Barron was

²⁶Harrison to William Davies, October 29, 1782, ibid., 359; Harrison to Commodore James Barron, February 20, 1783, ibid., 452-3.

²⁷Harrison to Count Rochambeau, April 11, 1782, ibid. 194.

²⁸Ibid. ("Flags of truce" was a contemporary term for enemy ships approaching under temporary truce.)

²⁹Harrison to Virginia Delegates in Congress, May 18, 1782, ibid., 227.

³⁰Harrison to Count Rochambeau, May 9, 1782, ibid., 205.

instructed to allow no ships farther inland than Newport News until he had received express orders from the governor. To get these, upon arrival of a Flag he was to dispatch an express to the Executive, giving a description of the ship and her errand.³¹

In addition to these arrangements, in the fall of 1782 the Assembly passed a strong law against illicit trade, providing fines and prison sentences for citizens who violated it, and making prisoners-of-war of British subjects who did so.³² Even under threat of penalties, the problem continued. For example, in January, 1783, the governor warned Commodore Barron to keep a strict watch for British merchants coming from the West Indies under a pretence of being Danish or Dutch subjects.³³

Harrison's efforts to prevent trade with the enemy explain his strong reaction to the Congressional resolution allowing the Financier to make arrangements with British merchants in New York for the transport of tobacco from Virginia. Although the Assembly allowed the contract to be fulfilled, the governor wrote the Virginia Delegates in

³¹Harrison to Commodore James Barron, May 9, 1782, ibid.

³²Hening, Statutes, op. cit., XI, 136-8.

³³Harrison to Commodore James Barron, January 1, 1783, Official Letters, op. cit., III, 417.

Congress, saying:

The sending Ships of the enemy here to load Tobacco for the British Merchants gives great umbrage, as indeed it ought; we have suffered too much already by an intercourse with the British. I beg of you never to countenance it again . . . will be attended with bad consequences as no means will be left untried to bring the people over to comply with the views of the British Parliament.³⁴

Harrison continued by saying the offer accepted by Mr. Morris had been made, in part, to him, and while it would have helped the state greatly, he refused because it was ". . . inconsistent with our duty to our Allies and to America."³⁵

The governor's attitude in this case appears to have been more consistent than that of Congress, especially in view of James Madison's report to Edmund Randolph that Mr. Adams had said the latest British peace symptoms had been caused by American proscription of British merchandise.³⁶

In addition to the problems resulting from Yorktown, the governor's most earnest efforts were involved in providing General Greene with the needed reinforcements for the Virginia

³⁴Harrison to Virginia Delegates in Congress, May 18, 1782, ibid., 227.

³⁵Ibid.

³⁶James Madison to Edmund Randolph, June 4, 1782, in William T. Hutchinson and William K. E. Bachal, eds., The Papers of James Madison (Chicago, 1962-), IV, 312. Cited hereafter as The Papers of Madison.

Line, called by Madison ". . . perhaps of all in the most disgraceful condition."³⁷ Virginia was criticized by other states for this situation. In an article in the Pennsylvania Packet on April 6, 1782, the writer ridiculed Virginia for her large land claims, saying her size had only debased her, making a few rich, but ". . . it has left her without troops in the service; without money in her coffers, and without honour in the Union."³⁸

Harrison worked to remedy this situation throughout 1782, and until the time the limited articles of peace were signed in 1783. He had hoped the law passed by the spring Assembly in 1782 to provide bounties for recruits would solve the problem, but this was not the case. The people were weary of war, had seen too much of the neglect of the army.

When the bounties failed to produce results, the governor tried other methods. He urged that sufficient clothing be provided for new recruits to encourage others to enlist.³⁹ He wrote to General Greene, requesting ". . . some good sergeants with some drums and fifes to assist the

³⁷James Madison to Edmund Pendleton, April 2, 1782, The Papers of Madison, op. cit., IV, 131.

³⁸Ibid., 131 n.

³⁹Harrison to Virginia Delegates in Congress, April 12, 1782, Official Letters, op. cit., III, 195; Harrison to Robert Norris, September 23, 1782, Ibid., 329.

recruiting officers."⁴⁰ He again attributed the slowness in recruiting to the past suffering of the soldiers, saying ". . . many now amongst us have suffered so exceedingly whilst in the army from nakedness that they will not trust to the promises of any Man breathing."⁴¹

It was not until April 1, 1783, after the Council had received news of a general peace from the Virginia Delegates that the governor notified recruiting officers to stop further enlistment for the Continental service,⁴² and appointed men to collect all recruiting money collected under the law for that purpose.⁴³

The problems with prisoners-of-war, flags of truce, and British merchants were the governor's military concerns in the east during his first term. At the same time, Harrison had to consider the affairs in the west, the counties beyond the Blue Ridge in the Kentucky and Illinois country.

The governor's administrative forces in this area were primarily the county-lieutenants, who controlled the

⁴⁰Harrison to General Greene, November 29, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbook. MSS. in Virginia State Library. Cited hereafter as Executive Letterbook.

⁴¹Ibid.

⁴²Wilmer L. Hall, ed., Journals of the Council of the State of Virginia, 3 vols. (Richmond, 1952), III, 233. Cited hereafter as Council Journals.

⁴³Ibid.

militia. In addition, the chief executive could call on Indian agents for help with the natives. Colonel Joseph Martin, the Virginia agent to the Cherokee nation, who made his headquarters at the Long Island in the Holston River,⁴⁴ was the primary contact in this area. Others appointed at later dates were John Donelson and Isaac Shelby.⁴⁵

The only regular military forces the governor had in the west were those under General Clark in the Illinois country. These were greatly diminished from the early forces that had captured Vincennes, numbering now no more than three hundred and four men, regulars and militia.⁴⁶ Early in his first term as governor, Harrison ordered Clark to station these troops at four defensive posts, to be built at the Falls of the Ohio, the mouths of Kentucky River, Licking Creek, and Lime Stone Creek. The governor, in obedience to a resolution of the fall Assembly, but contrary to his private inclination, prohibited any offensive campaigns in the west because of economic reasons.⁴⁷

⁴⁴Thomas Perkins Abernethy, Western Lands and the American Revolution (New York, 1937), 190.

⁴⁵Harrison to Joseph Martin, John Donelson, and Isaac Shelby, January 11, 1783, Official Letters, op. cit., III, 425.

⁴⁶Harrison to the General Assembly, May 6, 1782, Executive Communications.

⁴⁷Harrison to General George Rogers Clark, December 20, 1781; January 13, 1783, Official Letters, op. cit., III, 114, 428.

Though there were continuing rumors of Indian warfare, especially during early 1782,⁴⁸ and though Kentucky did suffer one serious incursion in the fall of that year,⁴⁹ the major military concern of the governor with the western country during his administration were maneuvers toward peace treaties with the Indians.

In these efforts, Harrison alternated between persuasion and force. He responded quickly when the Indians showed a sincere desire for peace, but, when hostility was evident, believed ". . . attacking them in their own country was the only way to keep them quiet and save expence. . . ." ⁵⁰

Relations with the Cherokees alternated between rumors of war and peace during 1782.⁵¹ Finally, in August when Martin reported the Indians anxious for peace, Harrison was thrown into a dilemma by a letter from the governor of South Carolina giving plans for a campaign against the Cherokees.⁵²

⁴⁸Arthur Campbell to Governor Harrison, January 3, 1782, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Papers. Mss. in Virginia State Library. Cited hereafter as Executive Papers; The Virginia Gazette, op. cit., April 27, 1782.

⁴⁹Harrison to the General Assembly, October 21, 1782, Executive Communications.

⁵⁰Harrison to General George Rogers Clark, January 13, 1783, Official Letters, op. cit., III, 428.

⁵¹Arthur Campbell to Governor Harrison, January 3, 1782, Executive Papers; The Virginia Gazette, op. cit., April 27, 1782; August 31, 1782.

⁵²Harrison to Joseph Martin, August 8, 1782, Official Letters, op. cit., III, 292.

Negotiations continued intermittently for the next year, with the governor reporting the Cherokees friendly to the Assembly in the fall of 1783, but asking at the same time for funds to ". . . severely scourge . . ." a tribe of Chickamaugas who had made inroads into Kentucky.⁵³

Peace talks with the Chickasaws were arranged after the one serious battle against the Indians that did occur in the fall of 1782, when a band of Shawnees and Delawares invaded Kentucky. These natives defeated Col. John Todd and nearly two hundred men at the battle of Blue Licks, in which Todd and sixty others lost their lives.⁵⁴ This disaster threw Kentucky into a turmoil which the governor attempted to quiet with assurances of retaliation in the spring, and present support if necessary from General Clark and militia from three counties.⁵⁵ He assured the frontiersmen that "Kentuckey is as much the object of my care as Richmond, and I shall shew it on all occasions."⁵⁶

It was at this moment that the Chickasaws appeared at

⁵³Harrison to the General Assembly, October 20, 1783, Executive Communications.

⁵⁴Harrison to General Assembly, October 21, 1782, Official Letters, op. cit., III, 352.

⁵⁵Harrison to Col. Daniel Boone, Levi Todd, etc., October 14, 1782, Executive Letterbook.

⁵⁶Ibid.

Blue Licks proposing peace between their nation and Virginia. When the governor heard this, plus a rumor from the north that British General Carlton had called in the British-controlled Indian parties,⁵⁷ he thought the chances for Indian peace good and in January, 1783, appointed Martin, Donelson and Isaac Shelby commissioners to settle the terms of peace with the Chickasaw and Creek Indians, the Cherokees and Chickamangas.⁵⁸

After much delay, a Talk between the Commissioners and the Chickasaw, Creek, Delaware, and Choctaw Indians was arranged to be held at the time of the full moon in October, 1783.⁵⁹ It was not, however, until June, 1784 that the two years of effort to secure Indian peace finally succeeded.⁶⁰ When the governor sent a copy of the treaty to the Assembly in October, he expressed his belief that the Indians would honor it unless settlers took land without previously purchasing it.⁶¹ In the light of past events, there seemed

⁵⁷The Virginia Gazette, op. cit., October 26, 1782.

⁵⁸Harrison to Joseph Martin, John Donelson, and Isaac Shelby, January 11, 1783, Official Letters, op. cit., III, 425.

⁵⁹John Reid to Governor Harrison, August 20, 1783, Executive Papers. ("Talk" was a contemporary term for both diplomatic meetings and correspondence with the Indians.)

⁶⁰Harrison to the General Assembly, June 12, 1784, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbooks. Mss. in Virginia State Library. Cited hereafter as Executive Letterbook.

⁶¹Harrison to the General Assembly, October 10, 1784, Executive Communications.

little chance that this condition would be met.

In Indian relations, Harrison appeared to be more conscious than many of his day of the rights of the Indians. Though he regarded a firm military policy as the most effective way to preserve Indian peace, he had written the governor of South Carolina urging the necessity for observing Indian land rights.⁶² He had been indignant at the ". . . shocking and cruel murder. . . ." committed against a friendly tribe of Indians, and had demanded immediate punishment of the guilty.⁶³ He had severely chastised Martin and Donelson for buying land from the Indians for personal use while engaged in public business with them.⁶⁴ In writing to Jefferson in

⁶²Harrison to Governor John Mathews of South Carolina, October 15, 1782, Executive Letterbook.

⁶³Harrison to Messrs. DuVal, Crawford & Evans, April 30, 1782, Official Letters, op. cit., III, 200.

⁶⁴Harrison to Joseph Martin and John Donelson, November 12, 1783, Executive Letterbook. (Joseph Martin's defense of his action provides an illuminating view of conditions on the frontier. He wrote the governor February 16, 1784, saying it was true he had bought land, but it was obvious settlers were coming in, and the treaty he was sent to conclude could do little good if the settlers took the Indian land. Therefore, he felt it much better to buy the land from the Indians. Then, he said: "It is not easy for those who are unacquainted with our Frontiers, to judge of the Evil, and Calamities, which threaten to arise from the licentious and ungovernable Conduct of the People there. To reconcile this with the vindictive spirit of the Indians, is really difficult and often Times impossible. I know of no way so proper to conciliate these people to our nation permanently, as to procure in the Settlement about to be made, a Number of respectable Gentlemen, who will serve as checks to the Licentious, and Wicked. And I should not have made this Purchase, but with the Concurrence and at the Request of a Number of the first Gentleman in North Carolina, with whose Sentiments I was made acquainted. . . ." Joseph Martin to Harrison, February 16, 1784, Executive Papers.)

March, 1784, he expressed pessimism over prospects for Indian peace because the General Assembly at the same time it signed a peace with the Chickasaws, gave to officers land the Chickasaws had refused to sell.⁶⁵ He expressed hope that the United States would make Indian treaties for the land that might stop war, but again he doubted, because, ". . . under present Government . . . there is not energy in any of them to restrain our people from encroachments on those poor creatures lands."⁶⁶ His prophesy proved to be most accurate.

While peace efforts with the Indians formed a major consideration of Harrison's military problems in the west during his entire administration, rumors of peace, and finally peace, itself, absorbed much of the governor's attention in the east after 1782.

During Harrison's effort in that year to unify and strengthen the state military forces while recruiting more for the Continent, the first rumors of peace with England began to circulate.⁶⁷ These were largely discounted by all as efforts of Britain to split the American states from each other and from their Allies. A remarkable unanimity of

⁶⁵Harrison to Thomas Jefferson, March 23, 1784, Executive Letterbook.

⁶⁶Ibid.

⁶⁷The Virginia Gazette, op. cit., May 11, 1782.

spirit resolved that such should not occur. Edmund Pendleton wrote Madison in Congress, "I am happy to hear, even from Our lowest Class of people a becoming resolution not to purchase the peace they Ardently wish, at the expence of breaking faith with our Allies. . . ." ⁶⁸

The Virginia Gazette warned in June that recent rumors about peace could be dangerous, that people would relax, and then find war instead of peace. ⁶⁹ It printed the following resolution passed by the General Assembly condemning Britain for trying to make peace with individual states:

This Assembly will exert the utmost power of the State to carry on the war with vigor and effect, until peace shall be obtained in a manner consistent with our national faith and federal union. ⁷⁰

Rumors became reality in 1783. It was a slow process, from the first hints through business channels in February, 1783, ⁷¹ to the proclamation of the preliminary articles in April, ⁷² to that of the definitive articles in February, 1784. ⁷³ As soon as news was received that the preliminary

⁶⁸ Edmund Pendleton to James Madison, May 27, 1782, The Papers of Madison, op. cit., IV, 276.

⁶⁹ The Virginia Gazette, op. cit., June 1, 1782.

⁷⁰ Ibid.

⁷¹ Harrison to the Virginia Delegates in Congress, February 24, 1783, Official Letters, op. cit., III, 455-6.

⁷² Council Journals, op. cit., III, 336-7.

⁷³ Harrison to the Sheriff of Henrico, February 20, 1784, Executive Letterbook.

articles had been signed, however, the Harrison administration started the demobilization of the military establishment.

The Executive ordered the naval commissioners to stop work on ships being built for the protection of Chesapeake Bay.⁷⁴ The recruiting officers beyond the Blue Ridge were told to stop all further enlistment for the continental service, and to send to Richmond all recruiting money.⁷⁵ By the middle of April plans were advanced for the immediate dismissal of infantry and artillery. Their arms were to be delivered to the county-lieutenant of the county where they were stationed, and the paymaster was to make out payrolls to the day of discharge.⁷⁶ The cavalry of the state Legion were given permission to enlist in the Continental forces or in the Naval Department as marines.⁷⁷ The commissary of military stores was ordered to disband his store,⁷⁸ while all military supplies were sent to Point of Fork.⁷⁹ The system for war built so laboriously over seven years was

⁷⁴Council Journals, op. cit., III, 336-7.

⁷⁵Ibid., 238.

⁷⁶Ibid., 246-7.

⁷⁷Harrison to the General Assembly, May 6, 1783, Executive Letterbook.

⁷⁸Council Journals, op. cit., III, 249.

⁷⁹Thomas Norlwether to Mr. James Belsches, Jr., or Mr. James M. Simmons, February 25, 1783, Official Letters, op. cit., III, 459.

dismantled in speedy fashion.

In the period between the signing of the preliminary articles and the definitive treaty, the governor's major problem was the status of British citizens. He continued to prohibit their entry into the state until the fall Assembly in 1783 repealed the law against aliens,⁸⁰ acting with greater leniency than the governor recommended. He urged a harsh policy as a means to pressure Britain into a favorable trade treaty with America.⁸¹

Finally, the word of a definitive treaty arrived,⁸² and on February 20, 1784, the governor proclaimed the news to the citizens through the sheriff of Henrico, instructing him as follows:

I have the pleasure to inform you of my having received the definitive treaty of peace and the ratification of it by Congress and I have to request the favor of you to proclaim it with all the solemnity in your power on Thursday next, at the courthouse, the market place, and the capitol. I shall give orders to the officer commanding here to fire an American salute after each proclamation of which you will please to give him notice by signal.⁸³

⁸⁰Henning, Statutes, op. cit., XI, 324-5.

⁸¹Harrison to the General Assembly, October 20, 1783, Executive Communications.

⁸²Ibid., December 13, 1783.

⁸³Harrison to the Sheriff of Henrico, February 20, 1784, Executive Letterbook.

A letter from Harrison to Virginia's agent in France, Thomas Barclay, written April 5, 1784, showed the beginning of a new page in Virginia's history. Harrison told the agent the letter would perhaps be his last communication, ". . . as we propose in future to have as little to do with Europe as possible . . ."⁸⁴

Harrison ended the military phase of his administration with his one major success in persuading the Assembly to expand executive authority. In November, 1784, during the last legislative session of the Harrison administration, a new law was passed which materially strengthened the power of the executive over the militia, especially the officers. These now were selected at the discretion of the Governor in Council.⁸⁵ In addition, this body could veto the recommendations of the superior militia officers for the appointment of those in lower classification.⁸⁶ Also, officer vacancies ". . . by the disapprobation of the executive or otherwise. . . ." were to be filled in the same manner,⁸⁷ and the Executive had the right to arrest, censure or cashier commanding officers.⁸⁸

⁸⁴Harrison to Thomas Barclay, April 5, 1784, Executive Letterbook.

⁸⁵Henning, Statutes, op. cit., XI, 481.

⁸⁶Ibid., 382.

⁸⁷Ibid., 383.

⁸⁸Ibid., 490.

Another innovation of the 1784 law was the establishment of light companies of young men between the ages of eighteen and twenty-five for more intensive training. These, while on duty, were to wear a cap and uniform ". . . as the executive shall direct. . . ."⁸⁹ and Steuben's discipline was adopted.⁹⁰ Harrison's constant recommendation that the militia laws be changed and strengthened had been accepted.

During his administration Harrison had presided over the less critical problems of the last year of war, and administered the demobilization of the army after peace, a far easier task than mobilization for war. He had little success in recruiting soldiers for the Continental forces. He did guide efforts which brought a general Indian peace, but he was unable to prevent actions which he correctly foretold would bring renewed trouble. Harrison could claim little credit for the peace that lightened all military problems, but he did establish a pattern in the peace-time military establishment of more orderly government under firmer executive control.

⁸⁹Ibid., 484.

⁹⁰Ibid.

CHAPTER IV

SUMMARY

A summary of Benjamin Harrison's attitudes toward economic, military and political problems during his administration can be given with a fair degree of accuracy after a study of his messages to the General Assembly and his letters to state and Continental officials. His opinions concerning the Confederation and the place of the governor in state affairs changed during his three years in office, but his other attitudes remained consistent.

In the economic affairs of the state, Harrison believed in policies that would promote sound money, good credit and improved trade and commerce. To achieve these goals he suggested careful economy in governmental finances, adequate bookkeeping practices, prompt payments on debts, and sufficient executive power to insure collection of taxes. He urged revision of trade laws and cooperation with the Confederation to secure favorable commercial treaties with other nations.

In military matters, the governor felt that the way to future peace lay in a strong, well-regulated force for defense, and in the willingness of the state to oppose any insult by foreign powers with suitable retaliation. In Indian warfare, he felt offense was the best defense against

belligerent tribes, but he was willing to negotiate immediately when peaceful intentions were evident. Further, he believed the land policies and practices of the white man should be controlled in order to protect the interests of the Indians.

The best description of Harrison's attitudes in political affairs was that given by a contemporary to John Adams. As governor, as well as delegate to the first Continental Congresses, Harrison was ". . . a cornerstone in which the two walls of party . . ." ¹ met. He was the man in the middle of extremes. He had ancient ties with the Tidewater aristocracy of colonial Virginia, but joined at an early stage the forces resisting English tyranny in America. He believed in individual liberty, but was willing to limit it to the extent necessary to provide responsible government. He knew the dangers of unlimited power, but he realized the necessity for lodging a responsible degree of it in the administrative arm of government. He gave primary allegiance to his native state, but supported the Confederation.

While a summary of attitudes may be easily drawn, an evaluation of the influence Harrison exerted on the actions taken by the government during his administration is a much more difficult task, since the General Assembly made final

¹L. H. Butterfield, ed., Diary and Autobiography of John Adams, 4 vols. (Cambridge, 1961), III, 367.

decisions in all matters of policy. That fact makes it necessary to evaluate Harrison's influence with the legislature in order to determine his success as a governor.

One method of studying executive success in legislative relationships is to compare the governor's proposed actions with the program actually passed by the Assembly. There are many fallacies in this method, as numerous factors other than the executive's influence determine legislation. Since a more valid system is lacking, however, such a comparison may give some insight into Harrison's influence with the General Assembly.²

In the Assembly of May, 1782, the legislature took favorable action on five of eight specific requests made by the governor. The record in the October session was not so favorable, with only three actions taken on seven requests. In May, 1783, Harrison made thirteen specific recommendations, and six were favorably received. Two were successful in later sessions, and two were resolved in a manner different from that suggested by the governor. Three received no

²The governor's recommendations for action were taken from his messages to each session of the Assembly that met during his administration. These letters contained reports on many areas and activities, but only the governor's requests for action have been considered. The account of laws passed and actions taken were found in Henning's Statutes, and the Journals of the House of Delegates. A detailed account will be found in Appendix A, page 135 following.

action. October, 1783 brought five requests from Harrison. Favorable action was taken on one during that Assembly, and on another in October, 1784. Action on one suggestion differed from the governor's proposal, and two requests did not receive attention.

Only three of eight proposals received favorable action in May, 1784, and two others were passed in the October session. In the last Assembly of his three terms, Harrison received affirmative support on three of seven recommendations.

Counting the laws passed in a later Assembly than the one in which they were requested, the legislature acted favorably on twenty-six gubernatorial proposals out of forty-eight made by Harrison during his three years in office. This is a fifty-four percent record, a remarkably high percentage. If a generous allowance for error is discounted, it still appears that Harrison was successful in well over one-third of his proposals to the General Assembly.

The major laws passed by the legislature after recommendation from Harrison were in the military and commercial fields. The revised militia law of November, 1784 undoubtedly pleased the governor most as he had worked for it for three years. The same Assembly gave the Governor in Council power to buy arms and ammunition for the state, another of Harrison's pet projects. The five percent impost for Congress, and the law giving that body control over trade were

major contributions to the Confederation. The formation of the Potomac and James River Companies to promote inland water trade was another decision of far-reaching importance.

Though Harrison did not succeed in securing executive control of county magistrates, his concentration of attention on the abuses in those offices did bring laws designed to correct the worst evils.

In general, Harrison's failures with the legislature came whenever he sought increased executive power. When his terms were over, the office of governor had no more power than it had when he first entered it, except in control over the militia, and the right to appoint a sheriff if the county court refused to act.

In summary, it appears that Harrison as governor, though removed from the active political scene of the Assembly, retained sufficient influence there to secure favorable legislative action on from one-third to one-half his proposals, an enviable record, at least by modern standards.³

The success Harrison enjoyed with the legislature undoubtedly was dependant largely on his long years of service as a member and often as Speaker of the House of Delegates. His failures, to some degree, may have been caused by the

³The 1963 Congress passed 27.2% of John F. Kennedy's specific proposals. Congressional Quarterly Almanac, Vol. 19, 1963, 83.

division in leadership in the House of Delegates during his administration. Patrick Henry and Richard Henry Lee were the two major political personalities in the Assembly at that time.⁴ They often disagreed on issues, and alternated in general control of the legislature.⁵ At least one observer felt neither leader was effective. He wrote:

You cannot well conceive of the deranged state of affairs in this country. There is nothing like system. . . . The two great commanders Henry and Lee make excellent harangues, handsome speeches to their men, but they want executive officers, or should be more so themselves to be useful . . . need . . . men . . . who do business as well as speak to it.⁶

The shortcomings and lack of cooperation between the leaders could have made any legislative action more difficult to obtain, especially since Harrison appeared to have aligned himself with neither man, but followed his own authority in matters of policy. For instance, in May, 1783, the governor recommended the five percent impost for Congress, which Henry supported and Lee opposed.⁷ In fiscal matters,

⁴Joseph Jones, Letters of Joseph Jones of Virginia, 1777-1787 (Washington, 1889), 114; Edmund Randolph to James Madison, May 10, 1782, in William T. Hutchinson and William M. E. Rachal, eds., The Papers of James Madison (Chicago, 1962-), IV, 227 cited hereafter as The Papers of Madison.

⁵Ibid.

⁶Jones, op. cit., 114.

⁷Ibid., 107.

however, Harrison and Lee deplored the tax postponements and commutations sponsored by Henry.⁸ The governor, in legislative relations as in all other areas, had a mind of his own and admitted no superior.

The influence of the executive in the affairs of state during the years of the Confederation was definitely secondary to that of the General Assembly, and no governor of the period was the primary leader of his state while in office. The policy makers were in the legislature. This was true of the administration of Benjamin Harrison, as it had been of Patrick Henry and Thomas Jefferson. Harrison, however, enjoyed great prestige in the Assembly, and was more aware of and interested in executive administration than his predecessors had been. His use of his influence to promote fiscal integrity and orderly government was a valuable balance to the Revolutionary passion for the freedom of the individual. His constant reminders of the need for increased executive power pointed to the need for a better balance in the arms of government.

Benjamin Harrison as governor of Virginia has received little attention from students of Virginia history, yet

⁸ Edmund Randolph to James Madison, May 10, 1782, The Papers of Madison, op. cit., IV, 227; Harrison to Virginia Delegates in Congress, December 5, 1783, in Benjamin Harrison, Governor of Virginia, 1781 to 1784, Executive Letterbook. Mss. in Virginia State Library.

several of his attitudes and policies in state affairs set precedents that can be traced to the current day. This is particularly true of Harrison's attitude toward financial affairs. His insistence on sound money, good credit, and economy in government were echoed by the Conservatives of the Reconstruction Era, in the reform movement of Harry P. Byrd in the 1920's, and in the senior Virginia senator's reputation in 1965 as the champion of financial integrity in governmental affairs.

Harrison's problems with county magistrates have been reflected in the continuing search for a satisfactory relationship between state and local officials. The dissatisfaction with contemporary situations has been evidenced in the changes made in the status of county officers in the Constitutions of 1850, 1867, 1902,⁹ and in the amendment of 1928¹⁰ which allowed the General Assembly to make different forms of county government available. Since that time the County Manager, County Executive, and Executive Secretary forms of local government have been adopted by some counties in the state.

⁹Armistead R. Long, The Constitution of Virginia: An Annotated Edition Together With a Reprint of the Previous Constitutions of Virginia (Lynchburg, Va., 1901), passim.

¹⁰Constitution of Virginia, as Amended June 19, 1928 (Richmond, 1930), passim.

Harrison's difficulties in administration of government without sufficient executive power were remedied by later Constitutions, although the General Assembly has continued to exert an unusual amount of influence in the government of Virginia. Events that occurred during the years when Benjamin Harrison was governor played a more important part than is often recognized in the shaping of Virginia's destiny.

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APPENDIX

GOVERNOR'S
RECOMMENDATIONSLEGISLATIVE
ACTIONMAY, 1782MAY, 1782

- | | |
|---|---|
| 1. Clarify impressment power. | 1. |
| 2. Revise militia and jurisprudence laws | 2. |
| 3. Provide defense of coasts and trade | 3. Hen. XI, 42-43. Vessels, money for such purposes. 3 Comm. appt. by Ass. |
| 4. Support Navy Department | 4. Ibid. Divide prizes for seaman pay. Import and tonnage duties for navy. |
| 5. Raise men for Greene | 5. Hen. XI, 14-20. Divide co. in dist. Raise 1 recruit for each 15 militia in dist. or pay 1/8 taxes as fine |
| 6. Lodge Admiralty Court power in Executive | 6. |
| 7. Law for return of N. C. slaves which had been stolen | 7. Hen. XI, 23-25. Method of recovery. Penalty for not obeying. |
| 8. Law for apprehending British prisoners of war. | 8. Such an act passed, at Harrison's urgent request, according to letters of time. Statute lost. (Mad. IV, April 2, '82 footnote) |

OCTOBER, 1782OCTOBER, 1782

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| 1. Recommends Congress-requested law to stop illicit trade with enemy. | 1. Hen. XI, 136-8. Directions for intercourse with flag ships. Penalties on citizens and British for violation. |
| 2. Law for state officers, no liability for debts contracted for U. S. | 2. |
| 3. Make Commissioners of Navy an Executive function | 3. May, 1783 Journal, 91. Govt Council given power to equip, man, provision two boats retained to prevent smuggling. |

GOVERNOR'S
RECOMMENDATIONS

4. Counties of Culpepper and Spotsylvania opposed to law of recruiting because not just. Assembly decide - he use all powers has to convince militia officers at least they do as law says.
5. Help for Hospital for poor
6. Indian offensive necessary. Defense not good enough.
7. Need of officers in army for pay

MAY, 1783

1. Revoke repeal of 5% duty for Congress.
2. Revise trade laws in view of new situation.
3. Do something for demands of soldiers for future pay. They deserve it.
4. Allow Executive to use outside printers as public one not capable.
5. Endorses proposal to rebind, bring up to date the public records.

LEGISLATIVE
ACTION

4. Hen. XI, 390 - this passed in May, 1784 Assembly.
5. Hen. XI, 167; Journal, '82, p. 90.
- 6.
7. Hen. XI, 105-7. Officers and men of Continental Line given 5% interest on their certificates; these receivable as taxes.

MAY, 1783

1. This done in Oct. session. Hen. XI, 350-1
2. Hen. XI, 185-7. Provide experienced pilots for ships coming into Chesapeake Bay; Journal, 12: Comm. of Commerce appointed to consider "trade, manufact. & commerce" of Va.
3. Hen. XI, 196-7. Sets aside certain taxes for purpose. Provides method for Treasurer to divide the money.
4. Journal, 35, 50. Comm. investigates printers. Allow to continue, but advance needed money, and have printed only necessary, urgent laws.
5. Ibid., 53. Executive ordered to do so by House; sent to Senate.

GOVERNOR'S
RECOMMENDATIONSLEGISLATIVE
ACTION

- | | |
|--|---|
| 6. Law to stop legal actions against U. S. officers who contracted debts for U. S. | 6. |
| 7. Indemnify quartermaster against claims against him for horses he sold in obedience to Gov. Nelson. | 7. <u>Journal</u> , 34. Comm. recommends be rejected. |
| 8. Consider improving military supply. Very low. | 8. Hen. XI, 494. Passed in Oct., 1784. Gives Gov. and Council right to buy arms and ammunition for state. |
| 9. Allow governor to remove justice of peace from office | 9. Hen. XI, 290. Penalty on Co. court for not dividing co. into tax dist. and making list. Gen. Court to proceed agst. delinquent sheriffs. (No governor control) |
| 10. Recommends petition of Richard Hidden Meade. | 10. <u>Journal</u> , 41, 56, 58. Petition. Favorable committee report. Senate agrees. |
| 11. Need offensive war against Indians. | 11. |
| 12. Defect in militia law passed in Oct. Give gov. power to punish (for jail guards - 16 called, 10 refused) | 12. Hen. XI. Gov. & Council may enlist up to 25 men for public guards. |
| 13. Means to pay account of Thomas Bentley. | 13. <u>Journal</u> . This, among other accounts, provided for. |

OCTOBER, 1783

1. Problems of returning British subjects. Presents case against admitting them too soon.

OCTOBER, 1783

1. Hen. XI, 324-5. Act prohibiting British subjects from state repealed. A few exceptions.

GOVERNOR'S RECOMMENDATIONS

2. Negligent magistrates. Some send no recommendations for sheriff to governor. Need for reform of these inferior courts.
3. Amend law prohibiting partial entry of goods.
4. Give freedom to Negroes who served in army as replacements for masters.
5. Provide fund for a militia force against Chickamaugas.

MAY, 1784

1. Take action to prevent fraud with forged certificates for military service. Field Officers' comm. Statute of limitation on old claims.
2. More power for judges of superior courts.
3. Law to allow Executive to implement law of Confederation on extradition of criminals.
4. Better militia laws needed 4. to improve defense.
5. Law allowing executive to appoint sheriff under certain condition defective - no penalty for court and clerk not acting.

LEGISLATIVE ACTION

2. Hen. XI, 464-6 - passed Oct., 1784. Clerk of co. must reside in co.; 500 pound penalty for no oath; 1000 pound bond required; Gen. Court may prosecute.

3.

4. Hen. XI, 308-9

5.

MAY, 1784

1. Hen. XI, 500. Executive appoint commissioners
Ibid., 495. Penalties, etc.
2. Hen. XI, 422-29. Act est. Courts of Assize (Oct., 1784)
3. Hen. XI, 471. (Oct., 1784)
5. Hen. XI, 463. Penalty on justices for failure to nominate sheriff. On clerk for failure to notify Gov. Hen. XI, 387. Penalties on sheriff for interfering with elections.

GOVERNOR'S
RECOMMENDATIONS

6. Interposition of Legislature to force Dist. Commissioners to Receive Public Property, to settle affairs.
7. Add small piece Monogania Co. left after Pa. boundary settlement to Monongalia Co.
8. Pay some French bills - French minister thinks Va. favors domestic over foreign creditors.

OCTOBER, 1784

1. Take steps to recall Clarke and plans for Clarkeville across the Ohio. Settlers crossing river before Congress has bought land from Indians. Will cause war.
2. Improve militia law. Allow Gov. to march it outside state.
3. Provide protection for foreign ministers (case of French consul in Norfolk)
4. Investigate Treasury and Auditors system. Place auditors under Executive.

LEGISLATIVE
ACTION

- 6.
7. Hen. XI, 366-7. Monongalia divided into two counties. New one to be named "Harrison"
8. Journal, 88. Bill "to levy certain taxes in aid of the public revenue and to apply the same in payment of the debts due to foreign creditors" approved by Senator.

OCTOBER, 1784

1. Hen. XI, 447. Gov. and Council can suspend when necessary the surveying of certain lands in the western country.
2. Hen. XI, 476-94. Extensive new militia law with executive control of officer appointment. (No power for Gov. to send it outside state)
- 3.
4. Journal: "Put off til tomorrow" Extensive reports included, however, from Comm. appointed to examine public accounts (p. 85-90)

GOVERNOR'S
RECOMMENDATIONSLEGISLATIVE
ACTION

- | | |
|--|--|
| <p>5. Revise import laws.
Appoint surveyor of
customs to visit naval
officers every 3 mos.
and send copy of books
to governor.</p> <p>6. Amend Act empowering
Exe. to raise guards for
jail.</p> <p>7. Start surveys for navi-
gation of western waters
project, which he highly
recommends.</p> | <p>5.</p> <p>6.</p> <p>7. Hen. XI, 450. James River
Company; Hen. XI, 510.
Potowmack Company Inc.; Hen.
XI, 525-6. Washington given
50 shares in Potowmack and
100 shares in James River Co.</p> |
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APPENDIX B

General Account of Public Debts

Report by Committee of the House of Delegates, October, 1784

Zerox Copy of Report in The Journal of the House of Delegates,
October, 1784 in The Virginia State Library.

manner they think will conduce to do justice to the State, and to those creditors; and that the sums which may be by this House assigned for the payment of those debts, shall be applied under the direction of the Executive, to the payment of such of those claims, and in such proportions as the Governor, with advice of Council, may think proper. Your committee are of opinion, that the two and a half per cent. on imports, and the tax on legal process and alienations, and the money which may arise from the sale of the Gosport lands, ought to be applied to this purpose; and that in aid of those funds, 10,000*l.* shall be added of the arrearages of 1783.

Your committee are of opinion, that 100,000 dollars may, in the course of the year 1785, be paid from those funds to foreign creditors; and that warrants ought to be issued for the same, which shall be receivable at the treasury in discharge of any specie tax for 1784, or any future tax, and shall also be receivable in payment for the Gosport lands. Your committee, on examining the report made by the commissioners appointed to settle the debts due by the State to sundry persons in the western country, find, that the sum of 68,299*l.* 17*s.* 2 3-4*d.* has been admitted by the commissioners to be due to sundry persons, independent of debts due for militia service; some of those debts have been paid, and others transferred to particular funds. Your committee are of opinion that the Governor, with advice of Council, ought to have full powers to re-settle and adjust all those demands, and to transfer such of them as they may think proper, to the account of the foreign debts, and to direct warrants to issue in favor of this class of creditors, as they may think entitled to the same, for the interest of their respective claims, to be paid out of the tax arising from 5*s.* per hundred acres to be paid on lands when patented.

Your committee do farther report, that several debts are due for slaves executed by legal sentence; for the payment of which the public is liable; and are of opinion, that the interest on those debts at the rate of five per centum per annum, ought to be paid out of the contingent fund, and that warrants issue for the same, which shall be receivable in payment of any specie tax.

Your committee farther report, that very large sums are due by the State to sundry persons for militia service, and for property taken or impressed for public service; the books which contain all certificates to these creditors of the public, are not added up; and your committee could not devote as much time as would have been necessary to make such addition; the debt however, is very great: we presume it may amount to 750,000*l.*; the tax imposed for the redemption of these certificates, will bring about 160,000*l.* into the public treasury, in money or certificates; and all the money which may be paid on this account, is directed by law to be reserved in the treasury for the redemption of those certificates.

The duties on salt, rum, wine and sundry other merchandizes, form a considerable branch of revenue, and together with 4*s.* per hogshead on tobacco exported, are appropriated to pay the interest and one-eighth of the principal of military certificates; these duties, and the slave tax, will not, in the opinion of your committee, make good such proportion of the military debt. And your committee find, that from various postponements and deficiencies in the collection of taxes, there is but little prospect of paying more than the interest the ensuing year, and recommend that the treasurer be directed to pay all the warrants issued for the interest, before any payment be made of any part of the principal of such debt.

Your committee, for the more particular information of the House, have stated the various debts due by the public, in a book, to which your committee beg leave to refer, from page 1 to page 94; and have subjoined the following general account of public debts.

THE STATE OF VIRGINIA, TO SUNDRIES.

DR.

Principal.

Interest.

To the United States, this State's proportion of the continental debt of forty-two millions of dollars.

Virginia pays one-sixth, amounting to,

£2,100,000 0 0

Amount of certificates issued to the army and navy of this State

745,567 16 2

Amount of old Loan Office debt agreeably to register in the auditor's office,

33,488 11 0 1-2

The annual interest on the above registered debt and interest included, amounting to 44,551*l.*

0*s.* 4 3-4*d.*

For the payment of interest thereon, 120,000*l.* is appropriated annually,

£120,000 0 0

Interest thereon, at six per cent. per annum,

44,731 1 4

Interest due thereon to the 1st of October, 1784,

11,062 9 3

2,673 1 2

Amount carried forward,

£2,879,056 7 2 1-2

Amount carried forward,

£178,466 11 9

Amount brought forward,	£2,879,056	7	2	1-2	Amount brought forward,	£178,466	11	9
Loan Office debt not registered, estimated at	120,000	0	0		Annual interest at six per centum,	7,200	0	0
Value of money and tobacco borrowed under requisitions of the Assembly and Governor,	10,515	7	9		Annual interest thereon,	630	17	5
Money of this State funded at 1000 dollars for one,	5,859	1	2		Annual interest thereon,	352	2	6
Balance of money funded agreeably to recommendations of Congress, of the 18th March, 1780, 154.571 dollars,	46,371	6	0		One-tenth of the land tax applied annually to the payment of the above, amounts to	9,585	0	5
Debts due on the books of the late commercial agent, viz: 29,-347 lbs. of flour estimated at 15s per hundred,	£220	2	1					
1,167,182 lbs. of tobacco, valued at 29s.	16,340	10	10					
Cash due	27,000	00	00					
	43,560	12	11		Interest thereon at six per cent. per annum,	2,613	12	7 1-2
Amount of debts due sundry persons, agreeably to votes of the General Assembly, from the session of May 1782, to May 1784, inclusive,	74,998	14	9		Interest thereon at six per centum	4,499	18	7
Amount of western claims exclusive of militia, settled by the commissioners,	68,299	17	2 1-2		Interest thereon,	3,414	19	10 1-2
To make up arrearages of pension list,	12,289	4	5					
To pay off the balance of the contingent and military funds now unpaid,	9,260	12	7 1-2					
	£3,281,283	13	3 1-2					
Unliquidated debt to foreign creditors, and the commutation to the State line, and to persons whose slaves were executed, and sundry other claims, estimated at	200,000	0	0		Annual interest thereon,	12,000	0	0
Debt for property impressed and militia services, not carrying interest, estimated at	750,000	0	0					
Total debt amounting to	£4,231,283	13	3 1-2		Carrying an annual interest of	£207,700	13	11

Besides the above, there is a considerable debt due by the public, for money paid. under the sequestration law; also, a great proportion of the old continental money, in opinion of your committee fifteen millions of dollars.

The annual interest of the above debts,	£207,700	13	11
The annual pension list,	3,209	15	0
Expenses of civil government,	29,828	0	0
Contingencies, estimated at 15,000 <i>l.</i> per annum,	15,000	0	0
Debt to Norfolk borough annually,	555	3	5
The annual interest of the public debts and expenses of civil government amounts, by this statement to	256,293	12	4 1-2
Besides the above sum, provision ought to be made, in opinion of your committee, in the year 1785, for the following sums:			
Balance of contingent requisition for 1784,	81,060	0	0
For the payment of one-third part of the value of money and tobacco lent under requisitions of the Assembly and Governor,	3,541	15	11
In aid of the funds for payment of the debts due on books of commercial agent,	10,000	0	0
To pay part of the debts due foreign creditors,	30,000	0	0
Interest on Loan Office debt,	2,673	1	2
To pay the arrearages on pensions,	12,289	4	5
To pay the balance of warrants drawn on contingent and military funds,	9,260	12	7
To pay sundry votes of the present Assembly, estimated at	6,000	0	0
To pay arms for the militia,	10,000	0	0
Expenses for criminal prosecutions, estimated at	6,000	0	0
Allowance for sundry small debts to be provided for,	8,000	0	0
	£435,118	6	8 1-2

Besides this sum, one-eighth of the military debt becomes payable on the 1st Jan. 1785:

The funds for the payment of the above, arise from the revenue of 1784, valued at	£242,678	11	4
The tax on legal process and alienations, and the money to arise from the sale of the Gosport lands, and 2 1-2 per cent. duty on imports, estimated at	30,000	0	0
Arrearages of 1783, after paying the interest due on certificates, and the warrants to officers of civil government, estimated at	20,000	0	0
	£292,678	11	4
Deficiency to be made good from revenue of 1785,	141,389	15	1 1-4
	£434,068	6	5 1-2

From the above statement it appears to your committee, that provided the funds for the payment of foreign creditors shall produce 30,000*l.* there will be a deficiency of 141,389*l.* 6*s.* 5*d.* to make good the payments before stated, in the year 1785.

Whereupon, your committee have come to the following resolutions:

Resolved, that it is the opinion of this committee, That the laws of appropriation ought to be amended in such manner, as not to injure any of the public creditors, for the payment of whose debts provision hath heretofore been made.

Resolved, that it is the opinion of this committee, That provision ought to be made for paying the money and tobacco lent the public, under the requisitions of the Assembly and of the Governor of this Commonwealth; and that such payment be made out of the unappropriated two-tenths of revenue, and that warrants issue, annually, for one-third part of the said debt; and such warrants shall be receivable in payment of any specie tax.

Resolved, that it is the opinion of this committee, That provision ought to be made in like manner, for paying the annual interest arising on the Loan Office debt, which hath been registered in the auditor's office.

Resolved, that it is the opinion of this committee, That full powers ought to be given to the Governor, to settle, with the advice of the Council, all doubts or disputes which may arise in liquidating the debts due to foreign creditors and the creditors of this State in the western country, in such manner, as may to him, with the advice aforesaid, seem best and most reasonable; and finally, to cause all such accounts to be adjusted, and to direct certificates to be granted for the balances due thereon, and to appropriate the funds provided, or to be hereafter provided for those purposes, in such manner as shall seem reasonable; and that warrants for such provision shall be issued agreeably thereto.

Resolved, that it is the opinion of this committee, That funds ought to be established for paying the debts due to foreign creditors; and that the money arising from two and an half per cent. on merchandize imported, and from the tax on legal process, and from the sale of the Gosport lands, ought to be applied for that purpose; and that 10,000*l.* in aid of these funds, shall be applied out of the money arising from the arrearages of taxes of 1783; and that warrants for 30,000*l.* issue on those funds, which shall be receivable in payment of any specie tax for 1804, or any future tax; and shall be receivable also in payment for the Gosport lands.

Resolved, that it is the opinion of this committee, That the Governor, with advice of his Council, direct any

APPENDIX C

Treasurer's Report
to
The House of Delegates
December, 1784

Zerox Copy of Report in The Journal of the House of Delegates,
October, 1784, in The Virginia State Library.

amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read and agreed to by the House.

Ordered, That the said bill, with the amendments, be engrossed and read the third time.

The House proceeded to reconsider the amendment of the Senate disagreed to by this House, and insisted on by the Senate, to the bill "respecting future confiscations;" and the same being read;

Resolved, That this House doth insist upon their disagreement to the said amendment.

Ordered, That Mr. Breckenridge do acquaint the Senate therewith.

Mr. Pendleton reported, from the committee appointed to examine the accounts of the public treasury, that the committee had, according to order, examined the same, and agreed to the following report thereupon:

Your committee find, that at the last settlement made by Jacquelin Ambler, Esq. treasurer, to the 11th day of December 1783, there remained a balance in the treasury, amounting to 4,018*l.* 17*s.*; and that there have been received by the said treasurer, from the 12th day of December 1783, to the 11th day of December 1784 inclusive, the sums following, viz: by virtue of the last recruiting law, the sum of 2,066*l.* 15*s.* 10 1-2*d.*; also, of sundry persons on divers accounts, the sum of 6,293*l.* 14*s.* 10 1-2*d.*; also, for the arrears of the revenue taxes, due for the year 1782, the sum of 12,968*l.* 3*s.* 2*d.*; also, for the revenue taxes due for the year 1783; the sum of 1,99,923*l.* 19*s.* 7 1-4*d.*; also, from officers of the customs, viz: for the additional duty of half per cent. the sum of 15*l.* 6*s.*; for duties by virtue of the revenue law, the sum of 11,128*l.* 15*s.* 9 1-2*d.*; for the impost on mariners, the sum of 404*l.* 17*s.* 7*d.*; for duties appropriated to the redemption of the army debt, the sum of 9,766*l.* 11*s.* 9 1-4*d.*; also, from inspectors of tobacco, viz: for tax, by virtue of first revenue law, the sum of 1,546*l.* 17*s.* 8 1-2*d.*; for the surplus of the tax for rents, &c. the sum of 3,654*l.* 4*s.* 8*d.*; and for the tax appropriated to the redemption of the army debt, the sum of 6,238*l.* 12*s.* 1 1-2*d.*; also, on account of the Land Office, for right money, the sum of 2,282*l.* 13*s.* 4*d.*; also, from the register of the Land Office, for tax on grants, the sum of 79*l.*; also, from clerks for tax on law process, the sum of 131*l.* 13*s.* 3 1-4*d.*; also, for the one per cent. on land, being in part of the revenue taxes due for the year 1784, the sum of 2,028*l.* 10*s.* 5*d.*; and also, on account of the certificate tax due for the year 1783, the sum of 146,681*l.* 1*s.* 11 1-2*d.*; amounting in the whole received by the said treasurer, within the periods aforesaid, to 409,229*l.* 15*s.* 1 3-4*d.*

Your committee likewise find, that the said treasurer, within the periods aforesaid, hath disbursed and admitted in discount of the revenue taxes, to the amount of 233,385*l.* 4*s.* 1-2*d.* as appears by the receipts and corresponding vouchers produced to and examined by us. It further appears that the said treasurer hath admitted for one-tenth of the land tax due for the year 1783, by virtue of the revenue law, the sum of 6,621*l.* in bills of credit of the 18th of March 1780, which bills were produced to your committee, examined, punched and rendered unpassable; and it appears also, that the said treasurer hath admitted in discount of the certificate tax as the law directs, militia certificates, warrants for supplies furnished the army, &c. and soldiers tobacco notes, to the amount of 146,681*l.* 1*s.* 11 1-2*d.*, which several credits being duly entered, there remained a balance in the treasury on the 11th instant, of 22,542*l.* 9*s.* 1 3-4*d.* as will appear by the statement annexed: a part of which balance, consisting of commutable articles not yet disposed of, the account of sales of commutables is thereby prevented from being finally closed; and your committee have there re deferred the examination and report thereof, until the next settlement:

<i>Dr</i>	THE PUBLIC TREASURY IN ACCOUNT WITH J. AMBLER, TREASURER,	<i>Cr.</i>
	<i>From the 12th day of December, 1783, to the 11th of December, 1784, inclusive.</i>	
To balance of account to the 12th of December, 1783,	£4,018 17 0	By amount of disbursements and discounts from the 12th day of December, 1783, to the 11th day of December, 1784, inclusive, as appears by the receipts and corresponding vouchers, produced and examined,
Amount of account by virtue of the last recruiting law,	2,066 15 10 1-2	
Amount of account received from sundry persons,	6,293 14 10 1-2	
Amount of arrears received for revenue taxes of 1782,	12,968 3 2	
Amount received for revenue taxes of 1783,	199,923 19 7 1-4	
Amount received from officers of the Customs, viz:		
For additional duty of half per cent.	£15 6 0	Bills of credit of the 18th of March 1780, received in payment of one-tenth of the land tax of 1783, produced to the committee, punched and rendered unpassable, amounting to
For duties by virtue of revenue law,	11,128 15 9 1-2	
For impost on mariners,	404 17 7	
For duties for redemption of army debt,	9,766 11 4	
	£246,591 2 2	
		£240,006 4 0 1-2

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Dr.					Cr.
Amount brought forward,	£246,591	2	2	Amount brought forward,	£240,006 4 0 1-
Amount received from inspectors of Tobacco, viz:					
For tax by virtue of 1st revenue law,	£1,546	17	8 1-2	Amount of certificates, warrants for supplies furnished the army, &c. and soldier's tobacco notes, admitted in discount of the certificate tax, for the year 1783, as appears by the receipts and corresponding vouchers produced and examined,	146,681 1 11 1-
For surplus of tax on rents, &c.	8,654	4	8		
For tax for redemption of army debt,	6,238	12	1 1-2	Balance carried to new account,	22,542 9 1 1-
Amount received on account of Land Office right money,	2,282	13	4		
Amount received from register for tax on grants,	79	0	0		
Amount received from clerks for tax on law process,	131	13	3 1-2		
Amount received for revenue taxes 1784,	2,028	10	5		
Amount received for certificate tax 1783,	146,681	1	11 1-2		
	£409,229	15	1 3-4		£409,229 15 1 3-

Errors Excepted,

J. AMBLER, Treasurer.

And the said report being again read at the clerk's table;

On a motion made,

Resolved, That the treasurer's accounts do pass.

Ordered, That Mr. Pendleton do acquaint the Senate therewith.

A motion was made, that the House do come to the following resolution:

Whereas, by a resolution passed in May session 1784, in consequence of a petition from Andrew Donnelly la sheriff of Greenbrier, praying that the time of payment of the taxes of the said county, due from him to the Commonwealth might be postponed; and also, that paper money passed under the resolution of Congress of the 18th March 1780, to the amount of one-tenth part of the land tax, should be received: and whereas, doubts have arisen whether the aforesaid money according to the letter of the resolution, can be paid in discharge of the said tax;

Resolved, That the treasurer be authorised and required to receive one-tenth part of the land tax of the county of Greenbrier for the year 1782, in paper money issued agreeable to the aforesaid resolution of Congress.

And the said resolution being twice read was, on the question put thereupon, agreed to by the House.

Ordered, That Mr. Stuart do carry the resolution to the Senate, and desire their concurrence.

Mr. Breckenridge reported, from the committee of the whole House, according to order, the amendments agree to yesterday, to the bill "for enabling the British merchants to recover their debts from the citizens of this Commonwealth;" and he read the same in his place, and afterwards delivered them in at the clerk's table, where the same were again twice read, and agreed to by the House.

Ordered, That the said bill, with the amendments, be engrossed and read the third time.

Ordered, That leave be given to bring in a bill "concerning the paper money paid into the treasury by British debtors;" and that Messrs. Tazewell and Page, do prepare and bring in the same.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill "to discharge the people of this Commonwealth, from the payment of the revenue tax for the year 1785;" and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Matthews reported, that the committee had, according to order, had the said bill under their consideration, and had gone through the same, and made several amendments thereto, which he read in his place, and afterwards delivered in at the clerk's table, where the same were again twice read, and agreed to by the House.

Ordered, That the bill, with the amendments, be engrossed and read the third time.

Ordered, That Mr. Isaac Zane be added to the committee for Courts of Justice.

The orders of the day, for the House to proceed by joint ballot with the Senate, to the choice of a treasurer for the ensuing year; also, of a chief justice for the western district; also, for the House to resolve itself into a committee of the whole House on the state of the Commonwealth; also, on the bills "to amend and reduce into one act the several acts of Assembly, for the appointment of naval officers, and ascertaining their fees, and the duties payable on goods imported into this State;" "to amend the act, for the better support of the Supreme Court in Kentucky